Commentary

VOLUME NINETY-SEVEN • NUMBER ONE • JANUARY 1994

On Abortion

James Q. Wilson

Family Values & the Jews
Jack Wertheimer

The NAACP Turns Left
Arch Puddington

Religion, Politics & the Clintons
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Jerusalem—What Next?
Edward Norden

China on Our Minds
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A New Masterpiece
Samuel Lipman

Books in Review: Paul Johnson/Midge Decter/Daniel E. Troy/Jay P. Lefkowitz/Mark Falcoff

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Commentary®

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Letters from Readers

The Bosnian Problem

TO THE EDITOR OF COMMENTARY:

Edward N. Luttwak's brilliant and refreshingly self-critical "If Bosnians Were Dolphins . . ." [October 1993], describing the disgraceful lack of help for Bosnian Muslims by the United States and Western Europe, confirms what Isaac Bashevis Singer once wrote: the world is a combination of a slaughterhouse, a bordello, and an insane asylum.

SHELDON C. SELLER
Riverton, Connecticut

TO THE EDITOR OF COMMENTARY:

Edward N. Luttwak's eloquent *cri de coeur* struck a resounding echo in at least one American who has lived abroad for most of his life. It has not been a pleasant experience to watch America's leaders install cowardice as an official ingredient of U.S. foreign policy, extending into the upper echelons of our military command structure.

I remember from my American school days warnings about politics in a democracy being infected, so to speak, by the military. What none of our teachers seeemed to foresee was the military service of a democracy being corrupted by politics. This seems a natural consequence of a number of developments in recent years. As an Army brat, I have seen how the military is now considered by many to have less to do with fighting or vigilance than with a sort of life-career stage, in which technical training and/or professional practice aim at a subsequent (more profitable) job in civilian life. There is a view—not unpopular in the country—that military service is regarded as not quite an honorable or even a decent calling for the citizen, unless a "disadvantaged" environment or some other social compulsion makes a service career inescapable. The arts, and films above all, have consistently portrayed the committed serviceman as a species of bloodthirsty psychopath, and done so to critical and artistic acclaim.

If, which God forbid, any serviceman should be killed in action, it is no longer an occasion for praise of his bravery; he is portrayed in the media as a wretched victim, and his killing as an *a-priori* scandal, with journalistic anger directed not against those who killed him but against the government and commanders who placed him (implicitly against his will) in harm's way. . . .

It has long been fashionable to sneer at the famous quote from Horace: "*Dulce et decorum est pro patria mori*" ("It is sweet and honorable to die for one's country")—a sentiment not limited to Romans fighting in the Italian peninsula. But the subsequent lines of that verse are rarely quoted: "*mors et fugacem persequitur virem,/ nec parcit imbellis iuventae/ poplitivus timidove tergo*" (in James Michie's translation: "Run, and death will seize/ you no less surely. The young coward, flying,/ gets his quietus in the back and knees").

The present dedication of the American government to cowardice has exposed the United States as a huge, uniquely strong world power abdicating any world role in the use of that power. . . .

HERB GREER
Manchester, England

TO THE EDITOR OF COMMENTARY:

Emotion can easily overpower reason in addressing the brutal conflict in the former Yugoslavia. An example is an open letter to President Bill Clinton, "What the West Must Do in Bosnia," published in the *Wall Street Journal*, September 2, 1993. This letter, signed by such luminaries as Jeane Kirkpatrick and Norman Podhoretz, begins with a highly emotional appeal. Children are dying in Bosnia, and "these could have been *our* children." It ends with a call for U.S. military intervention in Bosnia-Herzegovina and Serbia.

The letter is based on several perceptions shared by all who advocate intervention. One is that the people of Bosnia are "the victims of the failure of the democracies to act." No one states this more strongly than Edward N. Luttwak in his article: "We have become a nation supremely well-armed that has allowed the marginally-armed to terrorize and kill the unarmed." Another perception is that "Bosnia, unlike Somalia, was no civil war. Like Kuwait, it was a case of clear-cut aggression."

The prescription of U.S. military intervention in Bosnia is wrong because the diagnosis of the

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disease is wrong. Just as surely as Somalia is a civil war among clans, so is Bosnia. To speak of aggression against the "Bosnian people" as if they were a homogeneous group is a dangerous illusion, made all the more untenable now that fighting has broken out even among the Muslims themselves. . . . Moreover, if the people of Bosnia are the victims of anything from the West, it is misconceived action, not inaction.

THE fundamental political problem in Bosnia is that the majority of its people, or at least a substantial minority, do not accept it as a sovereign entity. Nonetheless, it was constituted as one by international recognition. Now the questions arise: on what basis are those Bosnians who do not accept the sovereignty of Bosnia to be forced to accept it? And who will do the forcing?

Let us prescind from the passions of the moment and put the case of the Bosnian Serbs abstractly. Let us say a group of territories had gained its independence from a foreign power. Of these territories, one-third said they would consent to a joint confederation only if provided local autonomy and the possibility of some form of association with a neighboring country. Let us say that, without the consent of this third, the other two-thirds declared the existence of a unitary state that included all of them. This newly declared state is then recognized as sovereign by some supranational power and by other nations. If the one-third then takes up arms in the name of its own independence, by what moral right can external powers force it to become part of a state to which it never gave its consent? After all, political legitimacy is morally constituted by consent, not by the recognition of foreign powers. If foreign powers then attacked the recalcitrant one-third for its refusal to submit to the new state, who would be the aggressor?

Before Bosnia was declared an independent, unitary state, the Bosnian Serbs made clear that they would agree to their incorporation into a future Bosnia (which has not existed as an independent state except for a brief period in the Middle Ages) only on the basis of a loose confederation that allowed substantial local autonomy and the possibility of some form of future association with Serbia. If

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Jerusalem

Whose city—whose "holy city" is it?

It's twenty-five years, since Israel's victory in the Six-Day War, that the city of Jerusalem has been reunited under Israeli rule. But there is still much talk, and many people insist, that solution of the "Middle East Problem" will not be possible until Israeli Jews relinquish their "occupation" and restore the holy city—or, at the very minimum, its eastern part—to its "rightful owners", the Moslem Arabs.

What are the facts?

A city of many nationalities. Before the end of the 1967 Six-Day War, during which the Israeli Defense Forces reconquered Jerusalem from the Jordanians, claims to Jerusalem being a Moslem holy city were rarely, if ever asserted. Jerusalem had always been a city in which many religions and nationalities lived side by side. It was only after the old city was back in Jewish hands that the Moslem Arabs declared their willingness to wage "jihad" (holy war) to bring the city back into Arab possession.

The notion to call Jerusalem an Islamic holy city has only come about in modern times, especially after the Arabs lost the city in the Six-Day War. It now has gained currency by dint of constant repetition. The basis for the claim is that Jerusalem does indeed contain an Islamic holy site, namely the Temple Mount (sacred to both Moslems and Jews) with its two mosques. It is the place from which Mohammed is believed to have ascended to heaven. Mohammed never set foot in Jerusalem. But aware that it was the holy city of Christians and Jews, and wishing to convert them to his new religion, he commanded his followers to build a mosque in Jerusalem. But never in Moslem history did this mosque compare in significance to the Moslem holy cities of Mecca and Medina—cities that no " infidel" may visit.

"Jerusalem has been the center of Jewish life, of Jewish yearning, and of Jewish thinking for over 3000 years."

A tenuous Moslem claim. It's on the basis of this religious tradition that the Moslems designated the entire Jewish Temple Mount to be their holy site. The Israeli Government, in its constant spirit of accommodation to Moslem sensibilities, has largely acceded to this tradition and has put the area in and around the two mosques entirely under Moslem control. But how would Christians feel if, instead of from the Temple Mount, Moslem tradition had Mohammed ascend from the Church of the Holy Sepulchre, and if the Moslem Arabs were to claim that site as their property? The Christian world, often ready to consent to Moslem claims against Jews and Israelis, would be greatly astonished and would certainly resist such claim. But Moslem Arab assertiveness doesn't end there. On the tenuous claim to the Temple Mount, they have construed a claim to the entire city of Jerusalem (or at the very least to its eastern part), which they have declared to be their "third holiest city". And it would be an insult to all Moslems and all Arabs to leave the city in the hands of the "infidel Jews".

Jerusalem: never an Arab capital. But the city of Jerusalem—in contrast to Baghdad, Cairo, and Damascus—has never played any major role in the political and religious lives of the Moslem Arabs. It was never a political center, never a national or even a provincial or sub-provincial capital of any country since biblical times. It was the site of one Moslem holy place, but otherwise a backwater to the Arabs. The passion for Jerusalem was not discovered by the Moslem Arabs until most recent history.

Jews are not the usurpers in Jerusalem. They have been living there since the Biblical era and have been the majority population since the 19th century. Jews have holy sites in most cities of the world. But do they claim sovereignty over those cities because of it? Of course not! It would be preposterous. And the Moslem Arab claim to Jerusalem, based on the mosques on the Temple Mount, is just as untenable. Jerusalem has been the center of Jewish life, of Jewish yearning, and of Jewish thinking for over 3000 years. That is the reason that the State of Israel has rededicated the Jewish holy city to be its indivisible capital.

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these conditions were not met, the Bosnian Serbs warned that they would fight for their independence. The clear tripwire for such a fight would be a Bosnian declaration of independence without Bosnian Serb consent.

Some may argue that the March 1, 1992 referendum in Bosnia democratically decided the issue of its independence, since the vote was overwhelmingly in favor. However, the Bosnian Serbs did not participate in this vote because it presumed the existence of a state they had not yet agreed to be part of. The democratic principle of one-man/one-vote does not help much here because the argument is over what is the legitimate entity in which it is to be exercised. Is it Yugoslavia? Or only part of Yugoslavia? Is it all right for Yugoslavia to disintegrate into ethnically-dominated republics but not all right for one of its regions to fracture further into smaller ethnically-designated entities? This is what the fighting is all about. Before the breakup of the Yugoslavian federation, Alija Izetbegovic, the Bosnian-Muslim leader, told a U.S. correspondent that he was willing to apply the principle of one-man/one-vote within Bosnia, but he was not willing to accept it within the larger Yugoslavia. The reason is simple. In Yugoslavia, the Serbs enjoyed a plurality, while in Bosnia the Muslims do.

THE U.S. answers to these questions changed over time. In the summer of 1991, then-Secretary of State James Baker was in Belgrade supporting the preservation of Yugoslavia's territorial integrity. By the spring of 1992, the U.S. position had shifted to favor the breakup of Yugoslavia based on plebiscites in each of its constituent republics. It is hard to discern on what consistent principle these two positions could have been taken. If the United States did not think that a multiethnic state would work in the larger Yugoslavia, why did it then insist that such a state be installed in Bosnia-Herzegovina?

Nonetheless, it appeared at first that the danger of a bloody conflict in Bosnia could be avoided by letting the three sides negotiate their own settlement under the auspices of a special commission of the European Community. On February 23, 1992, in Lisbon, the three Bosnian leaders—Izetbegovic for the Bosnian Muslims, Radovan Karadzic for the Bosnian Serbs, and Mate Boban for the Bosnian Croats—agreed to a confederation divided into three ethnic regions. However, returning to Sarajevo, Izetbegovic publicly renounced the Lisbon agreement.

Still, it was not too late. On March 16, in Sarajevo, the three Bosnian leaders signed a new agreement to divide Bosnia into "three constituent units." Once again, Izetbegovic backed out, saying he had been pressured to sign because the Europeans told him that he had to if he wanted to gain international recognition of his government. According to a high-ranking State Department official quoted in the *New York Times*: "The [U.S.] policy was to encourage Izetbegovic to break with the partition plan." On March 16, Karadzic predicted "a civil war between ethnic groups and religions with hundreds of thousands dead and hundreds of towns destroyed. . . . After such a war, we should have completely the same situation: three Bosnia-Herzegovinas, which we have right now."

What can account for the role of U.S. diplomacy and that of the other democracies active in this issue? Warren Zimmermann, at the time the U.S. ambassador to Yugoslavia, provides the explanation:

> Our view was that we might be able to head off a Serbian power grab by internationalizing the problem. . . . Our hope was that the Serbs would hold off if it was clear Bosnia had the recognition of Western countries. It turned out we were wrong.

One of the most basic principles of foreign policy is to keep local problems local, not to internationalize them. If any part of the world speaks to the danger of internationalizing local problems, it is the Balkans.

Zimmermann now concedes that "the Lisbon agreement wasn't bad at all." Indeed, considering the more than 200,000 dead in the course of the war to improve their position, the Bosnian Muslims are now faced with a less advantageous partition than the Lisbon agreement offered.

The signers of the *Wall Street Journal* letter are particularly aggrieved that Bosnia is a victim of aggression because it is a member of the UN, "whose independence the U.S., Europe, and the international community have recognized. . . ." But, ironically, the very act of recognition was the tripwire that started the war. After the recognition of Slovenia and Croatia, Izetbegovic told Lord Carrington: "I must demand the independence of Bosnia. If I do not, I will have my throat cut. But I must tell you that such a declaration will end in civil war." By early April, twelve European Community members and the United States granted recognition of Bosnian independence. As predicted, full-scale civil war erupted.

THE disaster in Bosnia is not so much the result of a "failure of will" in the West, but it is certainly partly the result of a failure of intelligence. Before we amplify that failure by direct military intervention, we ought at least to acknowledge the political realities these forces will be sent to influence. The letter to President Clinton fails to do that. It prescribes a war against Serbia as a remedy for a civil war in Bosnia. This can only make things worse. Even the U.S. humanitarian intervention in the Somali civil war turned nasty because of how badly UN officials understood the nature of the Somali clan system. Is the situation in the Balkans today any less complicated?

If our diplomacy in Yugoslavia was so confused, how effective would our military intervention be? What would be its goals? To stop the slaughter? But how do we stop three ethnic groups from fighting one another? By bombing Serbia, as the letter recommends? And what then? Limited bombing or other half-measures would probably further consolidate Serbian President Slobodan Milosevic's power in Serbia and have little effect on the fighting in Bosnia. If limited intervention does not do the job, what would be required in terms of ground troops for an all-out effort? General Bill Odom, a proponent of intervention, has said that it will take 300,000 to 400,000 troops a number of years to pacify Bosnia. Such an expenditure of U.S. treasure and lives is politically unfeasible. And the reason is that, despite our horror at the atrocities, there is no U.S. strategic interest that would justify it. Also, our intervention would inevitably involve us as one more party to the slaughter. Once U.S. troops are taken hostage and killed, as invariably they would be, how would we then react? Withdrawal, disgrace, and negotiations

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with the hostage-takers, as in Somalia? Or by sending in more troops to punish the transgressors we came to save?

ROBERT B. REILLY
Washington, D.C.

TO THE EDITOR OF COMMENTARY:

In his article, Edward N. Luttwak aggressively criticizes the United States government and our military, the United Nations, and the American public for resisting forces intent on dragging the U.S. into the Yugoslav/Bosnian civil war. Mr. Luttwak is certainly entitled to his opinion, but he should not then complain when he and his ilk are referred to as warmongers.

Given that a number of writers who hardly know the difference between Yugoslavia and Czechoslovakia have been beating the same war drum, Mr. Luttwak's attitude alone would not have induced me to write. But his "creative" handling of facts should not be allowed to stand without correction. Used by rulers and pundits throughout history, it is precisely this kind of blurring of truth with fiction that precipitated or aggravated many wars. I will limit my comments to the following points.

• Mr. Luttwak asserts that in Bosnia-Herzegovina only the Muslims are being killed, and, furthermore, that the Muslims are unarmed civilians. Both assertions are wrong.

Although the mainstream press did a poor job of reporting the beginning of the war, one of the earliest tragedies of this conflict was the violent expulsion of 40,000 Bosnian Serbs from Mostar, the main city of the Herzegovina region. The same thing happened to Serbs in Srebrenica, which later became famous as a Muslim enclave. All told, there are now some 750,000 refugees in Serbia, 70 percent of them Bosnian Serbs. Serb and Croat villages have suffered the same tragic fate as Muslim ones. Furthermore, the UN has documented the existence of detention camps in all three sectors. Simon Wiesenthal devastatingly described the situation as a "three-way civil war with bestiality."

As to unarmed Muslims, I would just state the obvious: the war would have stopped a long time ago if the combatants were not about equally armed. Despite the embargo, even the pro-Muslim *New York Times* has carried reports on more than one occasion of arms shipments being sent to the Muslims from Sudan and other Islamic countries. . . .

• Mr. Luttwak further states that the situation in Bosnia is not analogous to the civil war in Cambodia, because Bosnian Muslims are not killing Bosnian Muslims. This is a non sequitur. The civil war is between Muslims and the Bosnian Serbs and Croats. They may be supported by Islamic countries, Serbia, and Croatia, respectively, yet they are all just as much Bosnians as the Cambodian factions were Cambodians. Not to mention that they were all Yugoslavs only a short while ago. Just what is Mr. Luttwak's point? . . .

• What Mr. Luttwak concludes is that intervening in Cambodia would have been considered aggression from outside, but intervening in Bosnia would not. By what logic?

Though the Muslims desired foreign intervention on their behalf, . . . why should the U.S. oblige? Entering a civil war on the side of one faction would invariably worsen the chances for a settlement. Together, the Bosnian Serbs and Croats make up the majority of the population and they would justifiably object to our helping the Muslims. . . .

• Then Mr. Luttwak comes up with another non sequitur. After asserting that Holocaust education exploded the myth that the world was indifferent to the Nazis' treatment of Jews because the way had been prepared by widespread anti-Semitic feeling, he writes: "I for one never saw any signs of a widespread and deeply-rooted anti-Bosnianism." Excuse me? Does he mean anti-Islamism, anti-Croatianism, or anti-Serbianism? Tragically, the Bosnians are killing one another and each group clearly has strong "anti" feelings toward the others. By referring only to Muslims as "Bosnians," is Mr. Luttwak trying to confuse his readers or is he confused himself?

• His article also distorts the U.S. military's rules of engagement. Burned by former blunders when we went barging into other people's civil wars, the top commanders as well as their civilian bosses wisely devised some common-sense rules. I personally heard former Secretary of Defense Richard Cheney describe these rules as something he and his boss had approved. Cheney defined

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them as follows: know your objective before going in; have a plan to achieve it; secure public support for the deployment of troops; and develop a strategy for getting out. I for one would not trust any commander or President who would do less.

Finally, I will volunteer here my opinion on how to stop fighting in Yugoslavia: recognize each national group's right to self-determination, not the right of republics to secede. There is a big difference between these two concepts. After all, it was through the consent and yearning of national communities that Yugoslavia came into existence in 1918, not by the joining of independent states.

JASMINA WELLINGHOFF
San Antonio, Texas

TO THE EDITOR OF COMMENTARY:

Never is it easy (albeit necessary) to take pen in hand and criticize an exegete whom one respects. Yet Edward N. Luttwak, an informative and consistently provocative writer, invites this brief critique. . . . I do not think that a serious understanding of the events touching and concerning Bosnia can be gained without reference to the following issues, which Mr. Luttwak does not mention:

Did Belgrade act in order to divert national attention from domestic economic woes; . . . or did this cabal react because of the precipitous declarations of independence of the other republics?

Is the war in Bosnia-Herzegovina a civil war or a rare hybrid?

Are the Serbs guilty of naked aggression and aggrandizement? Have internationally recognized borders been violated? Was there a genuine concern by the Serbs (based on the use or misuse of history) for Serbian minorities in Bosnia and Croatia?

Post-cold war: what is the proper political role, if any, identified with the concept of multilateralism?

Could/should the United States intervene unilaterally in this conflict, given the lack of will of its European partners?

Is the United Nations inherently ineffective in meeting challenges such as the one in Bosnia? What can be done, if anything, to strengthen that institution so as to engender less dependency on the U.S.? . . .

Given the opposition of the U.S. citizenry to intervention in Bosnia, are the conduct and objectives of U.S. foreign policy to be determined by elites and government officials? . . .

In my view, Mr. Luttwak would have performed a service for COMMENTARY's readers were he to have addressed . . . these questions.

ELLIOTT A. COHEN
New York City

TO THE EDITOR OF COMMENTARY:

Edward N. Luttwak's outrage at the world's inaction in the face of continued Serbo-Croat murder and mayhem against the Muslims in Bosnia is entirely justified. The apparent and actual impotence of the European countries, the United States, and the United Nations to stop the carnage is inexcusable. But the inability of the international community to respond effectively to the ongoing crisis in Bosnia stems, in my mind, from an inadequate understanding of the underlying reasons for the conflict. . . .

Mr. Luttwak makes a strident call for American military intervention to stop the massacre of the Muslims. The problem with any type of intervention, however, is that it might drive the Serb militias underground to engage in hit-and-run guerrilla warfare, as we have seen in Somalia. It will surely expose the multinational peacekeeping force to Serbian retaliatory attacks.

Secondly, even selective air strikes may kill many innocent civilians. In a three-way close-quarter conflict, we can no longer dish out death and destruction to the enemy by remote control through cruise missiles and high-altitude bombers. With neighbors killing one another, there is no clear way to distinguish friends from enemies.

Military intervention, other than a very limited one to enforce a ceasefire, might further exacerbate the problem. As for partitioning Bosnia on the basis of the Serbo-Croat plan, it would legitimize ethnic cleansing and deal a mortal blow to the very foundation of international law which rejects territorial gain by force.

To find a viable solution to the Bosnian crisis, we must ask ourselves the question: why are the Serbs killing the Muslims? Despite the brutal ethnic cleansing, ethnic lines in Bosnia are not clear cut. Both the Serbs and the Muslims are ethnic Slavs, speaking the same language, and mixed marriages were very common before the war.

To understand why nearest cousins turn their guns against one another . . . one will have to take a look at American history: in the 18th century American colonists were almost entirely of British stock. Yet they fought a bloody war against the British, not because of any deep-rooted hatred against Britain but because such animosity was contrived by self-seeking politicians.

It may be recalled that when, on April 12, 1770, the British Parliament repealed the hated Stamp Act, many Americans were not happy. In all the leading urban areas of America, obscure political hacks such as Sam Adams of Boston had achieved public renown and personal success for the first time in their lives by denouncing the threat of British tyranny from the moment of the Stamp Act. . . . But as time passed, the stature of politicians whose popularity depended upon British tyranny diminished. They despaired for their future.

Then in 1773, . . . the House of Commons legislated some provisions that would make British tea, legitimately imported, cheaper and therefore competitive with that smuggled into the colonies from Holland. So-called patriots like Sam Adams interpreted cheap tea as a means to seduce the Sons of Liberty into subjugation. . . .

Adams and the others decided . . . to prevent the tea from being landed. On December 13, 1773, 150 Sons of Liberty disguised as Indians boarded three ships in Boston harbor, . . . unleashing a chain of events that triggered the so-called American War of Independence.

The Serb nationalists like Milosevic, Karazdic, and others are fanning ethnic hatred to promote their careers in the same way Sam Adams and others preached hatred against Britain two centuries ago to promote their own careers. But the international community would be foolish to let them get away with it. Milosevic did not become an ardent Serbian nationalist as a result of profound soul-searching. He was an ardent Communist when it suited him. If opportunistic nationalism is at the root of the problem in Bosnia, we must bring the general populace together. The only viable solution to the Bosnian crisis, in my view, lies in bringing about a reconciliation between the Muslims and the Serbs through a revived Yugoslav

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federation. Those who think that after so much blood, no reconciliation is possible, should take a look at Lebanon. Only a few years ago, Lebanon was being written off as a nation. . . . The efforts now being made to reverse the results of "ethnic cleansing" in Lebanon offer hope for Bosnia. . . .

With proper mediation, the Muslims and Serbs can be persuaded to live together in a revived Yugoslav federation with complete regional autonomy for Bosnia-Herzegovina. . . . "Ethnic cleansing" must stop immediately, and people uprooted by the war must be allowed to return home. . . .

Muslims and Serbs are too intermingled and have too many things in common to live completely separately. . . . They lived together peacefully under a dictatorship. Why can't they live together under a democracy?

MAHMOOD ELAHI
Ottawa, Canada

TO THE EDITOR OF COMMENTARY:

Should the United States become the world's policeman? Edward N. Luttwak appears to believe so, urging the immediate dispatch of American troops to Bosnia to put down the conflict and rescue the Bosnians. . . . He attacks the legitimacy of Caspar Weinberger's criteria for intervention in international conflicts and decries the insistence of the Joint Chiefs of Staff that they be given assignments that are not open-ended. Mr. Luttwak even attacks the Joint Chiefs' actions as damaging civilian control of the armed forces!

The Weinberger criteria came out of the Vietnam experience in which "armchair generals," actually civilians who thought they knew better than the military leaders, came close to destroying the military services. The generals, beginning with General Creighton Abrams, decided "never again," and down through Colin Powell have maintained caution in rushing into Bosnian-type situations. After all, they, and not Mr. Luttwak, are responsible for the lives of their troops and the effectiveness of their forces. Through a subtle conversion of the Bush humanitarian expedition to Somalia typical of the *modus operandi* of President Clinton, American forces have been bloodied in Mogadishu. The current Secretary of Defense was one of the McNamara "whiz kids" at the outset of our involvement in Vietnam, and he is repeating the same mistakes, if on a smaller scale, that we made in that unfortunate country—gradual increase in intensity with minimum increments of force followed by maximum casualties. . . .

The current commander-in-chief also has a credibility problem and there is probably nothing that he can do about it. Under no circumstances should any American troops be committed during this administration unless vital American interests are at stake!

I am a national director of the Navy League of the United States and a commander, U.S. Naval Reserve-retired. However, these are strictly my own opinions.

ROBERT C. WHITTEN
Cupertino, California

TO THE EDITOR OF COMMENTARY:

"If Bosnians Were Whales," by the Israeli novelist Meir Shalev, appeared on the *New York Times* op-ed page on August 29, 1992. Shalev's feuilleton . . . is succinct and scathing aplenty.

In the wake of Edward N. Luttwak's "If Bosnians Were Dolphins . . . ," which comes short of Shalev's alliteration but is an adequate analysis of the United Nations . . . and of our obsequious, albeit at times jittery, genuflections before it, it would behoove your illustrious magazine, if not to reprint the Shalev piece, then at least to acknowledge it. . . .

DAGMAR HERRMANN
Chicago, Illinois

EDWARD N. LUTTWAK writes:

My thanks to Sheldon C. Seller. To Herb Greer (who sent me back to my Horace): conscripts are cheap, but employing them in combat is severely circumscribed by a society-wide sensitivity to casualties; professionals are far more expensive, but their combat is supposed to be much less circumscribed. The U.S. in this respect pays for professionals but obtains conscripts. And, of course, during the long decades of deterrence, the armed forces were performing their highest duty by not fighting. That is no longer so, but the ghost of a dead strategic stance lingers.

I cannot refute Robert B. Reilly's arguments because I do not substantially disagree with them. I would merely like to note the following:

• It was not by accident that I did not refer to a "Bosnian nation." It so happens that I was quite familiar with prewar Bosnia, a land in which only a (mostly urban) minority was striving to live as "Yugoslavs" or "Bosnians," those being not ethnic but rather social and ideological constructs—and very fine ones, too. Those particular "Yugoslavs" and "Bosnians" deserved much respect—and most certainly deserved to live as such, a thing now almost impossible. The other Bosnians, *sans* quotation marks, were merely residents of Bosnia of any clear-cut ethnic self-identification. And I do *not* favor the Muslim residents over any others (it is quite irrelevant, of course, but the Serbs are the ones I have always instinctively liked in those parts).

• It was not by accident that I failed to commend Alija Izetbegovic's maneuverings. He represents the remnant of a long-gone ruling class that lost out not to Communism in 1945 but rather to Christian peasants in the course of the 19th century, a ruling class that the Hapsburg empire could hardly keep going. As for Izetbegovic's strategic wisdom, it suffices to note that he first declared independence, and only much later thought of raising an army.

• The goal of Western intervention should have been no more ambitious than to freeze the situation indefinitely, achieving a Cyprus-type result at best (no killings but no solution in sight), or at least a Northern Ireland-type situation (few killings and no solution in sight). Who saves a life saves the world, and in this case hundreds of thousands of lives, entire galaxies, would have continued to be saved. The lesson to all would have been: spare your gun-buying and spare your back-hill troop drilling, "they" (i.e., the world's greater states) will not let you fight, rape, kill, burn, or loot . . . and, by the way, that being so, a dirty compromise with your hateful neighbor is the best deal going.

• Mr. Reilly cites General Odom on the need for 300,000 to 400,000 troops "to pacify Bosnia." As noted, a pacification is a more ambitious aim than I deem realistic. General Odom's numbers probably reflect movie/military-history interpretations of World War II (the Yugoslav partisans did not "pin down" 30 German divisions—or ten), but never mind: the more troops, the less fighting, and some 300,000 troops (maybe one-fourth from the U.S.) *would* have been needed to flood the actual/potential combat zones at the ethnic

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margins so as to preclude war. Casualties in that case would have been low indeed.

To Jasmina Wellinghoff: my remark about anti-Bosnianism referred, of course, to such feelings in the world at large and, I repeat, I have never encountered deeply-rooted anti-Bosnian feelings in Argentina, Bolivia, or Chile, or any other country—Bosnians being not only not hated for the most part, but rather not even known to exist. But I do congratulate Miss Wellinghoff on hearing the nonintervention catechism from Richard Cheney in person, and I especially like the part about the need to "develop a strategy for getting out." Imagine what the world would have become if that condition had been enforced in June 1950, December 1941, World War I, the Civil War, the War of Independence, etc., etc.

Elliott A. Cohen's more general questions and some of Mahmood Elahi's are thought-provoking; my answers, however, must await a further article now in the planning.

Robert C. Whitten can refer to the above, notably to see that I have been clear and specific in describing U.S. participation in the intervention-force-that-should-have-been as one-fourth of the total. As for the Joint Chiefs of Staff: I did note that the military were ill-used in Vietnam because of untaught interference with military decisions, but then again, look at some of the military decisions that *were* made—all bureaucratic politics and no tactics, or operational art, or strategy (see my book, *The Pentagon and the Art of War*, for details). In any case, the Joint Chiefs do not own the armed forces, we taxpayers do; to allow them to dictate when U.S. forces will and will not fight does not "damage" civilian control, it abolishes civilian control. On the other hand, our armed forces are also not "our kids," they are soldiers—just as firemen are not "our kids" but firemen. Or should firemen stand around eating ice cream because fighting fires is dangerous? (In 1993 the most dangerous job in America was being a convenience-store clerk, the least dangerous a member of the U.S. armed forces.)

Finally, Dagmar Herrmann. I have no recollection of consciously plagiarizing Meir Shalev's "If Bosnian Were Whales," but I take refuge in Seneca: "Whatever is well said by another, is mine."

Sex & the Feminists

To the Editor of Commentary:

Without disagreeing at all with Carol Iannone's points ["Sex & the Feminists," September 1993], I would urge upon her a stauncher defense against Catharine MacKinnon's assault on the Constitution.

MacKinnon's argument is simple: because the Constitution protects speech to enhance the search for truth, the government should be able to suppress specific views that cannot be true, at least where there is a compelling state interest to be advanced by the suppression. Because anti-egalitarian speech cannot possibly be true, and equality is a compelling state interest, the former should be suppressed in furtherance of the latter. Miss Iannone seems to accept MacKinnon's premises, arguing back only that *some* ideas MacKinnon would suppress are at least debatable. In this, she rises too willingly to the bait.

To suppress speech on the ground that it cannot be true is to miss entirely the point of the First Amendment. As organic law, the First Amendment is not about truth; it is about politics. Political information . . . is the lifeblood of our electoral democracy. If a view that cannot be true cannot be expressed, we cannot learn that the view is even held. As a result, we are denied important information about the beliefs of the electorate. We cannot adequately develop a platform on which to run or a basis on which to vote. (Imagine trying to conduct a public-opinion poll on the status of the sexes in Catharine MacKinnon's America.)

When the First Amendment is properly understood as protecting the flow of political information, MacKinnon is hoist by her own petard. Unlike conservatives who would ban pornography because it has no more social importance than a vibrator, MacKinnon would suppress it because it contains a dangerous political message. If pornography really does contribute to the oppression of women, and especially if its producers intend that effect, pornography *ipso facto* has redeeming social importance and is protected speech (I take the word "redeeming" in the phrase "redeeming social importance" to mean redeeming from mere prurience, not redeeming in any uplifting sense). The pornographer's message may demand rebuttal but, if he does have a political message, censorship is not our way of rebutting it.

Lawrence J. Kramer
Newton, Pennsylvania

To the Editor of Commentary:

Carol Iannone rightly points out that feminists and cultural conservatives have found common ground in their opposition to pornography. Some alarming evidence buttresses the contention that pornography contributes to the sexual abuse of women and children. Consider the following:

- Twenty-nine of 36 serial murderers interviewed by the FBI confessed that pornography had a negative impact on their thinking and behavior.
- The Los Angeles police department points out that in the more than 40 child sex-abuse cases it investigated between October 1976 and March 1977, pornographic photos were found in every case.
- According to police vice squads across the nation, 77 percent of molesters of boys and 87 percent of molesters of girls confessed to imitating the sexual behavior depicted in pornography.
- A study by psychologist William Marshall of rapists in Canadian prisons found that "various forms of pornographic fantasies may lead to crime."
- Law-enforcement officials throughout the U.S. have found in thousands of cases that sexual abusers of children either collected or produced pornography. . . .

Certainly pornography helps create a moral and social climate conducive to sexual abuse and exploitation. If the great works of the moral and intellectual giants of civilization can educate, enlighten, and inspire, then pornographic works can corrupt by glamorizing and encouraging pernicious ideas and behavior: ideas do have consequences.

Haven Bradford Gow
Arlington Heights, Illinois

To the Editor of Commentary:

. . . How odd that the same feminists who, according to Katie Roiphe, want to treat women as delicate flowers in "constant danger of assault" or as naive innocents in "need of protection from male predators obsessed with sex," as Carol Iannone says, should also demand affirmative-action quotas

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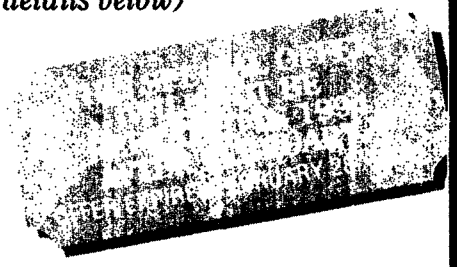

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for female policemen, firemen, soldiers, military officers, prison guards, and the like; the right of girls to join male football, hockey, wrestling, and boxing teams; equal funding for female athletics; the deployment of women in all combat positions, and, ultimately, the creation of a military that is half-female.

Many observers have noted this paradox. Predictably, most view it as a blatant contradiction. If women can engage in combat, they ask, why the hysteria over date rape and sexual harassment? Thus they conclude, falsely, . . . that feminists do not know what they want. But, alas, feminists know exactly what they want. What they want, obviously, is power. . . . Far from reviving the mores and customs of Victorian England, or even those of 1950's America, feminists want to "empower" women and girls by giving them, as Neil Gilbert says, "complete control in physical intimacy between the sexes."

According to feminists, rape is a "political crime," a systematic form of power that has nothing to do with lust or lasciviousness. Contrary to Katie Roiphe, feminists do not contend, in the spirit of the Victorians, that "men want sex" and "women don't." Their actual position is that males are . . . "conditioned" to be rapists by a "sexist" or "patriarchal ideology," and females are "conditioned to be the victims of sexual and physical abuse."

Roiphe notwithstanding, "rape-crisis" ideologues do not exaggerate the innate sexual distinctiveness of males and females. Like Roiphe, they deny innate gender difference. . . . Doctrinaire feminists want to obliterate every manifestation and vestige of "masculinity" and "femininity" as traditionally defined by patriarchal society. Only then in their view can rape be eradicated.

The "ever-expanding definitions" of rape and "sexual humiliation" are an ineluctable consequence of such assumptions and theories. To sustain the idea of rape as a "political crime," both a cause and effect of "male oppression," feminists must turn rape into a general female experience. If rape is not only pandemic, a basic condition of male/female relationships, but also historically, culturally, and politically determined, then society must be completely transformed.

This, of course, is why feminists are adamantly opposed to any revival of the old system of morality and chivalry that protected women and girls from male predation. Any return to the past, even the recent past, no matter how limited and reasonable, would be to concede that men and women have distinct natures and, consequently, to abandon the feminists' goal of undifferentiated political, economic, social, and domestic equality between the sexes. . . .

SCOTT KUEHL
Green Bay, Wisconsin

TO THE EDITOR OF COMMENTARY:

Carol Iannone says that "the ideals of Katie Roiphe and Catharine MacKinnon . . . are curiously linked" because "[t]hey both want equality." That is like saying that the ideals of Thomas Jefferson and Vladimir Lenin are "curiously linked" because both approved of revolution. And maybe the ideals of Carol Iannone and Catharine MacKinnon are "linked," too: both believe in the special sexual vulnerability of women, even if, for Miss Iannone, it is rooted in natural difference and, for MacKinnon, in social disadvantage.

Miss Iannone believes that traditional sexual standards of feminine purity were "based on an understanding of female nature woefully lacking today." I will not get into the subject of what "female nature" is, except to point out that many sociobiological assumptions about female monogamy/male promiscuity appear to be flawed (the habits of female chimps would make Wilt Chamberlain blush). However, if the purpose of old restrictions was to protect fragile females from predatory males, one must wonder why this had to be accomplished by making the "victim" bear the brunt of the penalties for sexual misbehavior, as women did in traditional societies. If one agrees that women need to be protected from male lust, the radical feminists' approach—to punish the men—at least makes more sense.

Like some other social conservatives, Miss Iannone dislikes the extreme politicization of male-female relations by the anti-date-rape/anti-sexual-harassment campaign, yet expresses guarded sympathy for these movements as "prompted in large part by a quite rational reaction" to the post-1960's "cheapening of sex" and denial of sex differences. Women, we are told, are being pressured into unwanted and degrading casual encounters because sex is "easy, expected," and because men are encouraged to "think of women as just female versions of themselves," no less interested in sex without intimacy.

Several points need to be made. First, the earliest studies of sexual aggression in college dating, made in the 1950's, show that inasmuch as men do pressure women into unwanted intercourse, this behavior did not suddenly begin around 1968. Surely, not only modern expectations of easy sex are to blame, but also traditional mating rituals in which men are expected to overcome female reluctance.

Moreover, the double standard is not quite as extinct as Miss Iannone seems to think. In a 1980's survey, about half of female college students said they had at least once engaged in "token resistance" to *wanted* sex (the infamous no-meaning-yes) so as not to appear "easy." Yes, many young women are confused. But is this because of the erosion of old standards, or because of the schizophrenic way in which old standards overlap with new ones? From some quarters of society (often including parents), many girls still get the message that "nice girls don't"; from other quarters, the cultural message is that "smart girls do." Be a slut or be a prude. No wonder some young women get drunk so they can loosen their inhibitions and have sex, then try to blame it all on the men.

This confusion can be exacerbated by the conduct of young men—itself often stemming, I should add, not from male beastliness but from mixed messages. Many boys have been brought up to believe that girls who are "easy" do not deserve respect (not "as women," but as human beings). Take the boys of California's infamous "Spur Posse," convinced that they had the right to "score" with any available girl *and* that available girls were contemptible. (Curiously, most of the girls still did not consider themselves victimized, and some apparently thought *they* were scoring points.) In no way did these boys see girls as "female versions of themselves." . . .

I have no intention to extol promiscuity; I will even concede that Katie Roiphe is too inclined to romanticize the "joyful, loveless sex" that supposedly abounded in the 60's. My own view is that both sexes would benefit from the pre-sexual-

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revolution standard *for men*: that sex should generally take place within a loving, committed relationship but under some circumstances is also acceptable outside one. However, Miss Iannone ends up proving Roiphe's point at which she scoffs: that the obsession with women's sexual trauma can be used to promote restrictions on women's freedom and a double standard that most women of my generation find outrageous. For now, unlike the MacKinnon feminists, the traditionalists have little opportunity to implement their brand of repression; but, frankly, I find little to choose between the two.

CATHY YOUNG
Middletown, New Jersey

CAROL IANNONE writes:

In response to Lawrence J. Kramer: I did not mean to suggest that I accept Catharine MacKinnon's premise that it is OK for government to suppress certain anti-egalitarian ideas that may now appear discredited. I fully agree that we must be on our guard against MacKinnon and others who are ready to undermine constitutional freedoms in the name of the "oppressed." But Mr. Kramer may himself have "risen . . . to the bait," i.e., accepted some of MacKinnon's premises, namely, that pornography is a form of speech, specifically a form of *political* speech. I disagree; moreover, I believe that defending pornography by virtue of the First Amendment subverts the true meaning of that amendment and the true meaning of democracy, allowing demagogues like MacKinnon to make our freedoms appear untenable and corrupt. Freedom is based on responsibility, and surely at least some of the points offered by Haven Bradford Gow must give us pause.

I think Scott Kuehl, in arguing that feminists are motivated by power, has articulated something important. My point, of course, was not to endorse Katie Roiphe's diagnosis of the rape-crisis movement as resurgent Victorianism, but to suggest that under the surface of that movement we are hearing strong confirmation of the idea that women are different from men. But since I believe that this confirmation is quite unconscious, I can agree with him that the rape-crisis feminists would probably see any "revival of the old system of morality and chivalry that protected women and girls from male predation" as intolerable, as indeed the letter from Cathy Young, not herself a rape-crisis feminist, suggests.

I respect Cathy Young, but her letter perplexes me. Men were often made to bear at least some of the penalties for sexual misbehavior in traditional societies. It seems to me that it was feminism that insisted on a model of complete independence, defending abortion, for example, as well as the tenability of single motherhood. Furthermore, as far as I am concerned, many of Miss Young's points confirm mine. "Traditional mating rituals in which men are expected to overcome female reluctance," are, I believe, rooted in nature (human nature, that is), hence their persistence, and this is why women have been advised to be careful and men to be respectful. The fact that these cautions did not prevail in the ugly "Spur Posse" episode does not prove that they are not rooted in truth. Quite the contrary.

It is unclear to me what Miss Young means by returning to "the pre-sexual-revolution standard *for men*," especially since she has just said that men were not formerly held accountable. But in any event, she seems to agree with me that "pre-sexual-revolution standards" were in some ways quite wise. Regarding a double standard, I believe that both sexes should be taught the virtues of self-restraint and chastity. But I also believe that freedom is the recognition of necessity, and it is not freedom to pretend that men and women are exactly the same in the face of much evidence to the contrary. To amplify what I said above, freedom is based upon taking responsibility for who and what one is, and freedom so based cannot be threatened—either by feminists or traditionalists.

The Clinton Presidency

TO THE EDITOR OF COMMENTARY:

Joshua Muravchik was not the only one puzzled about how to vote in 1992 ["Lament of a Clinton Supporter," August 1993]. Indeed, apart from the professionals in the two parties, virtually the only ones who could cast a ballot with some enthusiasm were those who voted for None of the Above (a.k.a. Ross Perot).

George Bush had been elected as a third term for Ronald Reagan, and he and James Baker proved to be a sad disappointment. Nevertheless, I voted for Bush in 1992 with no hesitation. One needed only to have noted the major contributors to the Clinton campaign to forecast its main thrust: the teachers unions, the trial lawyers, the professional blacks, the professional homosexuals, and so on. These debts would have to be paid, and the principal contours of a Democratic administration would thus be set. Moreover, Clinton himself and his wife were so manifestly small-town con men that only a naïf would trust them as far as he could throw the Little Rock statehouse.

Somewhat belatedly, Mr. Muravchik has half-learned his lesson. "Half-learned" because toward the end of his article he remarks that "it is not too late" for Clinton to satisfy his hopes, which in the closing paragraph he renews.

The late Senator Henry Jackson still exerts an extraordinary influence. A dozen prominent Democrats, all intelligent and well-informed, still deny the reality of the Democratic party and tell us that they are "heartened" every time they can uncover a slight shift from the McGovernite path. In spite of every evidence to the contrary, they persist in their illusions, and one supposes that nothing will ever bring them over to the Republican party, which is where neoconservatives belong.

WILLIAM PETERSEN
Carmel, California

TO THE EDITOR OF COMMENTARY:

Joshua Muravchik's distress merits sympathy and respect; his surprise does not. Mr. Muravchik seems to have shared the views of former Mayor Edward I. Koch that Bill Clinton was a much-needed Democrat, one with views that would help to return his party to standards and ideals it had abandoned during its McGovernite period.

It is very difficult to believe that clearly perceptive and intelligent people like Mr. Muravchik could have accepted Clinton's campaign declarations as sound political currency. Look at him: a person with a record of behavior involving disloyalty to many things. . . . Character really matters and talk is cheap. Character is a far more important basis for predicting a person's behavior than that person's mere statements. Nobody should be sur-

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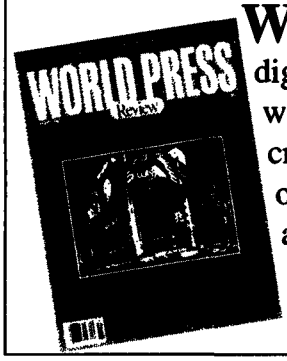

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prised by the discovery that this President's promises, made when he needed to be elected, were broken after his election. . . .

LAWRENCE H. O'NEILL
New York City

TO THE EDITOR OF COMMENTARY:

. . . It was President Kennedy who described the office of the presidency as a state of "controlled confusion." Neither he nor any successor in office has been able to leave any salutary imprint on our society. To a large extent this is due to the inability of any President since Roosevelt to control Congress on its own anarchic rampage.

It is pointless to set up the office of the President as a position of power and authority and to find Mr. Clinton wanting. Neither his predecessor nor whatever nonentity succeeds him has been or will be able to do better or worse. The Constitution remains triumphant in that the President is merely one of the three arms of government and no amount of effort to cloak the President with imperial powers . . . will disguise the structural weakness of the position. Let us not cry about it; that is what the Founding Fathers wanted.

ELWOOD A. RICKLESS
Santa Fe, New Mexico

TO THE EDITOR OF COMMENTARY:

I was surprised to see Joshua Muravchik refer to Al Gore as a moderate. Given his Senate voting record and his radical environmental proposals, it seems to me that Gore belongs on the Left-of-Center, if not on the far-Left, of the political spectrum. That is to be expected of one reared as a privileged child in the Washington, D.C. culture, and one whose entire adult life has been spent as a career politician.

Despite this minor disagreement with Mr. Muravchik, I think his article is right on the money.

DOYLE MATTESON
Lilburn, Georgia

TO THE EDITOR OF COMMENTARY:

I wish to express my appreciation for the way Joshua Muravchik . . . exposes the alienation of the Clintons from the American ethos and their attempts to undermine it. I hope he will go on to show us how the mantle of traditional liberalism has now been passed on to the politically conservative. . . .

EDWARD P. GOTTLIEB
New York City

JOSHUA MURAVCHIK writes:

I thank Edward P. Gottlieb and Doyle Matteson for their compliments, although, *contra* Mr. Matteson, I stick with my characterization of Al Gore. In 1988 I wrote an op-ed article criticizing Gore for presenting himself as the hawkish alternative in the Democratic presidential primaries, although his record was not that of a true hawk. But by the same token, the very fact that he chose such a posture—so inimical to the Democratic trend of the past two decades—shows him to be a moderate.

The political world appears much more fluid to me than it does to William Petersen and Lawrence H. O'Neill. Until the Soviet Union collapsed, the Communist threat (or promise, to some) was the salient political fact of our time, the starting point for defining all political positions and alignments. The political contours of the post-Communist world are not yet clear to me. Except for his stellar leadership in the liberation of Kuwait, George Bush never displayed the imagination necessary to respond to our new circumstances; I hoped that Bill Clinton would do better. So far he hasn't, but he will be President for three more years, so I am still hoping.

Whether or not Elwood A. Rickless is right about the presidency, some Presidents are better than others, and I prefer the better ones.

Liberalism

TO THE EDITOR OF COMMENTARY:

There can be agreement over William Kristol's description of what liberalism has wrought. But like many of the younger conservatives, he has not really faced up to liberalism's philosophical, ideological, and psychological involvements. This becomes clearest in one paragraph of "A Conservative Looks at Liberalism" [September 1993].

Mr. Kristol speaks of the effect on liberalism of "the collapse of the Soviet Union and more broadly of Marxism." And he continues: "As long as it existed, Soviet Communism forced some sort of reality check on liberalism, reminding it that there *were* enemies to the Left. . . . The collapse of Marxism has removed the last barrier to the tendency within liberalism to push liberal doctrines to destructive extremes."

Perhaps Mr. Kristol should read, or reread, Whittaker Chambers's *Witness*, or dip into the vast cloaca of liberal apologetics. Liberalism took a stand from the 1950's on, but only against Stalinism. It used the ploy of "moral equivalence" to modify its criticism of the Soviet system. But though it made comic faces at Communism, it still harbored an attachment to the root philosophy that stemmed from Marx, Engels, and Lenin. The criticism of Communism's latter-day saints was that they were bunglers and corrupt, not utterly and devastatingly wrong.

The collapse of the Soviet Union was a liberating event for liberalism because liberals could proclaim the philosophy that motivated Communism without displaying the stigma of pro-Communism. In the name of humanity, they could advance Marxism's antihuman and morally regressive doctrines. They could eschew the Nechayevism that inspired Lenin, and, drenched in Mithraic gore, move ahead with programs that struck directly at the survival of the American system. Some liberals now call themselves Democrats and others environmentalists, but both would prefer that a thousand humans die rather than to see one tse-tse fly, politically speaking, swatted.

What is operative today is a moral and political Gresham's Law. Conservatives deplore the rise in homosexuality, which strikes at the very survival of society, but fail to make the clear connection between that rise and the prevalence of an aggressive and mindless feminism based on the alienation of the sexes and the degrading of men. Liberalism's rhetoric calls for class war in terms as direct as those of Marx and Engels. Conservatives like myself who applauded the civil-rights legislation of Hubert Humphrey now find ourselves not with a color-blind society but with the "liberalism" of blacks and whites who would return to *Plessy* v. *Ferguson* and ordained racialism. Few dare to say it, but much of the crime in the inner cities is the result of violent forces unleashed not by Simon Legree but by the Marxist corruption of civil-rights principles.

Mr. Kristol is correct when he notes that one of the motivations, and an important one, of today's liberals is the perpetuation and preservation of the power they have exercised since 1933. But he

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does not see that all too often those who oppose liberalism have subscribed to Disraeli's dictum: "A sound conservative government? I understand: Tory men and Whig measures." What else did we have when Richard Nixon proclaimed himself a Keynesian? Not that older conservatives such as myself propose a rigid orthodoxy. But conservatism should be more than, in Lionel Trilling's words, "irritable mental gestures which seek to resemble ideas."

RALPH DE TOLEDANO
Washington, D.C.

TO THE EDITOR OF COMMENTARY:

I agree with William Kristol that "the conservative task is not to contain . . . liberalism but to transcend it." But . . . until conservatives come to understand and accept classical natural law, they are not likely to succeed in . . . transcending liberalism. The sad thing is that conservatives have permitted their very proper distaste for most, if not all, forms of modern natural law to overcome what should be their instinctive liking for classical natural law. Conservatives today are strangely inclined to follow the teaching of moral skeptics and relativists like Michael Oakeshott and F.A. Hayek. Oakeshott throws out the baby (classical natural law) with the bathwater (modern natural law). Hayek reduces natural law, ultimately, to social conventions. Are they really the right teachers?

I believe there has been a general failure to distinguish classical natural law and modern natural law, and this failure has led to a fatal wrong turn in our historical path. Modern natural law is abstract, nominalistic, and suspicious of experience—not surprisingly, it is the soil out of which liberalism sprang in the 16th and 17th centuries. By contrast, classical natural law is realistic and rooted in experience; it transcends relativism by reflecting, in a normative way, on what that experience means in light of what is, demonstrably, the natural course of conduct of human life. Liberalism and classical natural law are, in any sense that is meaningful, completely antithetical, so the failure of today's conservatives to appreciate and defend classical natural law can only mean that they do not really see what is wrong with liberalism as an idea; they are preoccupied with its manifestations.

Like most conservatives, Mr.

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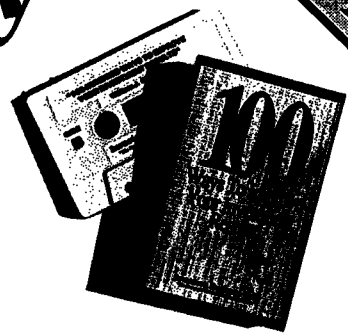

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Kristol places some stock in the hope of a religious revival. I am sympathetic to such hopes. But what kind of religion are we talking about? In particular, what would be the effect of a Protestant revival, given that the Reformation is, historically, one of the taproots of liberalism and individualism? . . . Will the new religious values succeed in throwing off the shackles of liberalism? Moreover, how likely is it that a religious revival will affect the elites who occupy our culture's commanding heights? And what, finally, are we to do in the meantime?

Such questions, and the points raised above, force me to conclude that classical natural law is the only good antidote to what Mr. Kristol nicely calls "liberalism and its depredations."

KENNETH D. ZARETZKE
San Diego, California

TO THE EDITOR OF COMMENTARY:

I am so relieved to see that William Kristol has a real solution to our society's collapse of faith! No doubt his liberal-bashing will solve many of our cultural ills. With his finger-pointing generalities, he is just as bad as those whom he condemns. . . .

By implying that the "bold new conservatism" should somehow curtail philosophical multiculturalism, Mr. Kristol nearly insists that people betray their values and identity. If he does manage to get his way, who is going to explain to that little Jewish girl why she has to sing "Jesus Loves Me" in school? . . .

Mr. Kristol appears unwilling to offer any specific suggestions for improvement, except, of course, total control by his "bold new conservatism." . . .

JUDITH SINGER
Mount Prospect, Illinois

Ethnicity

TO THE EDITOR OF COMMENTARY:

The central point missing from Richard Pipes's review of Daniel Patrick Moynihan's new book, *Pandaemonium: Ethnicity in International Politics* [Books in Review, September 1993], is also missing from the book itself: recognition that the principal ingredient in the recipe for ethnic bloodshed and strife in the last half of the 20th century has been economic mismanagement by the world's power elite.

Senator Moynihan would have us believe that the Yugoslav nightmare, for example, was the inevitable outcome of culture clash in the Balkans' ethnic stew. This analysis, while almost universally accepted, ignores how the International Monetary Fund (IMF) waltzed into Yugoslavia in 1989, passed around the poison pill of currency devaluation, and suddenly Serbs and Croats and Muslims and Catholics who had been getting along just peachy were at one another's throats.

A sound currency is a prerequisite to federation of varied ethnic and racial groups. If Alexander Hamilton had devalued the dollar instead of persuading George Washington to fix the dollar to gold, the United States might not have held together and certainly would not have become a melting pot for the Old World's huddled masses. In late September, multiethnic Russia flirted with political and civil chaos. That the Yeltsin government and the "reactionary" parliament had each other in the crosshairs was the natural result of the IMF's shock-therapy scheme that wiped out the savings of the population—the market value of the ruble collapsing from six to the dollar in late 1991 to about 1,300 to the dollar two years later.

Federal Reserve Board Governor Wayne Angell and I were in Moscow four years ago at the invitation of the Soviet central bank, urging it to fix its currency against gold, as the United States had done in its infancy. I told our hosts about the game of musical chairs, and how we learn as children to become competitive when we know we must fight for the dwindling number of chairs. Take the advice of the IMF, allow the currency to depreciate, we told them, and the Soviet Union will fly apart.

If Russia erupts in civil war, we will undoubtedly be told it was the tragic, unavoidable outcome of the culture clash between ethnic, "hard-line" Russian nationalists and pro-reform, West-leaning, democratic modernizers. This is nonsense. If Russia disintegrates further, we can thank the IMF and the Harvard-trained economists, hooked up to their Keynesian demand-side computer models. The first splinterings will be between identifiable racial, religious, and ethnic groupings, but as the number of chairs dwindles to the vanishing point, it becomes brother against brother, father against son, a reversion to the pre-civilized jungle.

All growth is the result of risk-taking, yet almost every economist trained in the West since World War II has been taught that government can manage growth by manipulating aggregate demand. This makes them useless when confronting the problem of economic stagnation. Either tax and spend or tax and invest—the individual risk-taker does not exist, only the consumer. Yes, there are factors of production associated with demand models. But it is not possible to incorporate the concept of risk in a mathematical model, so the computers that serve the global economic bureaucracies systematically reject the very essence of growth.

The problem today in Eastern Europe or Russia is not different from the problem of Harlem and the South Bronx. The government computers that crunch the numbers that are killing Congressman Charles Rangel's district in Manhattan are programmed by the same folks who program the computers at the IMF and World Bank. The policy advice so constrained crushes the dreams and aspirations of Africans, Haitians, and African-Americans in the same way it prevents the Eastern bloc from enjoying a relatively easy transition from a welfare state to thriving capitalism. China, advised on transition by its diaspora in Singapore and Hong Kong, where risk-taking is seen as being the essence of growth, is now the fastest-growing economy in the world. . . .

JUDE WANNISKI
Polyconomics, Inc.
Morristown, New Jersey

TO THE EDITOR OF COMMENTARY:

Both Richard Pipes's review and Senator Moynihan's book, *Pandaemonium*, are a refreshing contrast to the characteristic liberal tendency to belittle both the volatility and significance of what is currently called "ethnicity" in human affairs. But I fear that this new (actually old) insight into the (now post-Soviet) world has difficulties of its own. . . .

One can only applaud Mr. Pipes for urging the nations of the West to take a large view of their national interest, and particularly for reminding us that Great Britain's failure to grasp the worldwide significance of "local" Nazi persecution of the Jews in Germany and of Hitler's ultimatum to his neigh-

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bors in Czechoslovakia was catastrophic. But the advice he gives us along the way—such as "devise ways that will encourage people to stay put in their *native habitat*" (emphasis added)—seems more worthy of gamekeeping than statesmanship. . . .

Not once does Mr. Pipes credit the humane and just political principles of the Western world either for its own apparent "controlled" nationalism or to support his enlarged view of it. Rather, we are reminded of the abiding character of ethnicity (also called nationalism or regionalism), and taken down into its "deeper level" in the "'territorial imperative' that distinguishes the behavior of all creatures, from protozoa to primates." . . .

But Mr. Pipes's "deeper" premise fails him in his analysis of the premier example of ethnic disintegration—the collapse of the Soviet empire. Not surprisingly, Mr. Pipes asserts that "the multinational Soviet empire was bound, sooner or later, to meet the fate of all the other European empires and disintegrate." But if this is so obvious, why has not . . . the same fate befallen the United States of America, a nation of diverse ethnic groups? It will not do to remind us that "the USSR was not a free comity of nations, like the United States, but an empire held together by Russian Communists." For how can Mr. Pipes explain such "comity" in an otherwise wholly "ethnic" world?

Mr. Pipes's attempt to explain why ethnicity is such a potent force in the 20th century is murky, if not incoherent. How, in fact, has "[t]he universal franchise . . . shifted the center of decision-making to the regions"? Why necessarily does "[t]he principle of popular sovereignty in and of itself institutionalize national difference"? . . . Is it not more accurate to say that the ethnic splintering that has begun to occur even in the West results from the abandonment of the unifying principles of modern republicanism and constitutionalism rather than from their consistent application, as Mr. Pipes seems to be suggesting?

Whatever solutions Western statesmen are able to devise for the anarchic tendencies resulting from the replacement of the bipolar world of the superpowers with the multipolar world of regional blocs and numerous despotisms, one thing is, or should be, evident: the only alternatives before us are not the extremes of narrow ethnicity and some sort of utopian universalism that fails to respect human limitations (a false dilemma unacknowledged but tacitly assumed by Mr. Pipes). The prudent, principled middle in international affairs will continue to be the strong, faithful defense of the Western heritage which, alone among the nations, is grounded in a knowledge of the universal principles of justice and in an appreciation of their limits in a world of admittedly furious passions.

RICHARD H. REEB, JR.
Barstow, California

RICHARD PIPES writes:

Without disputing the merit of a sound currency, I find Jude Wanniski's explanation of ethnic strife as caused solely by economic factors, especially currency devaluation, simplistic and unhistorical. After all, there had been ethnic and religious strife and persecution long before there was a Harvard economics department and a "world power elite." Ancient Assyria comes to mind, as well as pre-Colombian Central America and medieval Jewry. The Soviet Union fell apart, not because the ruble had been devalued, as Mr. Wanniski contends, but because it was an empire kept in place by a Communist-KGB apparatus that had lost its grip. The depreciation of the ruble—in Ukraine, for instance, over 125,000 times—has produced no ethnic conflict in the predominantly Slavic areas. Where such conflict has broken out, notably Transcaucasia, the causes are centuries old and revolve around religious animosities of ancient vintage between Christians and Muslims. Does Mr. Wanniski seriously believe that the exchange rate of the shekel or any other economic policy of the Israeli government lies behind the Israeli-Palestinian conflict?

I do not know what Richard H. Reeb, Jr. means by "the humane and just principles of the Western world" and why he praises it for "controlled" nationalism. Far from setting an example to the rest of the world, as Mr. Reeb suggests in his concluding remarks, the West has from the French Revolution until the end of World War II infected the world with the virus of nationalism. It is true that it has by now learned the evils of excessive nationalism, but only after two world wars and the Holocaust claimed the lives of tens of millions.

There is no analogy between the ethnic structure of the United States and that of the Soviet Union. Except for native Indians and the descendants of slaves, the population of the U.S. is made up entirely of voluntary immigrants and their offspring. They are scattered throughout the vast country without occupying or claiming specific territories. The Russian empire, and its successor, the USSR, were built on conquests of historic nations inhabiting their native lands since time immemorial.

The connection between democracy and nationalism is not my discovery: it was noted a century and a half ago by Metternich, who tried to stem the rising tide of nationalism precisely because it implied popular sovereignty. If the people are sovereign, then it follows that they can claim for their native culture the status of a state culture. Where peoples of different ethnic cultures live side by side under one political authority within distinct territorial confines, the adoption of democracy is likely to lead to cultural (i.e., ethnic) self-assertion and strife. Where foreigners encroach on the territory of another people, as commonly happens in the modern industrialized world (e.g., Germany and France), the results tend to be similar.

Correction

In the December 1993 Letters section, an error occurred in Patrick Glynn's reply to Alex N. Dragnich. On page 8, column 3, the sentence that starts on line 35 should open as follows: "To be sure, the turn toward democracy in Slovenia and (more uncertainly) in Croatia. . . ."—ED.

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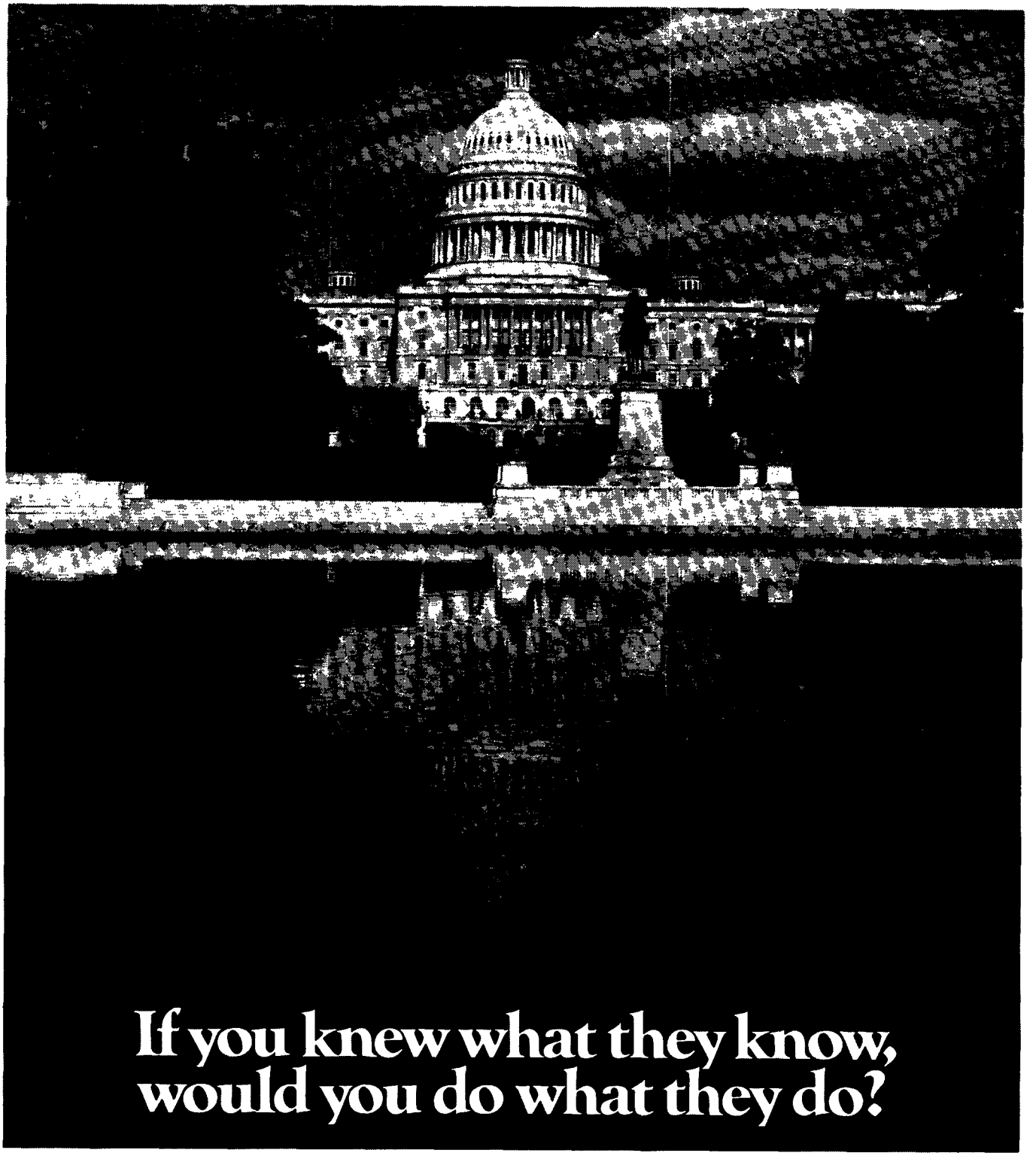

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On Abortion

James Q. Wilson

ABORTION is a moral question. Most people, regardless of how they feel the question should be answered or who should do the answering, will agree with this. There may be some extreme pro-choice activists who maintain that the decision of whether to carry a fetus to term is purely a matter of taste, but I doubt there are many such persons or that, if confronted with the choice themselves, they would make it in the same spirit in which they decide where to spend their vacation.

Were abortion not a moral issue, then infanticide would not be one, either, because the difference between a 265-day-old fetus and a newborn infant is a matter of but a few hours. We recoil in horror at the thought of deliberately killing a newborn infant, though we may recognize a few circumstances in which that might become a tragic necessity. We must, therefore, recoil in equal horror at the thought of killing an infant that does not differ from the newborn in any respect other than that it receives oxygen and food via an umbilical cord instead of through its nose and mouth. I know of only one philosopher who defends both abortion and infanticide. I find his arguments not only unconvincing but monstrous; I suspect that almost everyone would react in a similar fashion.

The moral debate over abortion centers on the point in the development of the fertilized ovum when it has acquired those characteristics that entitle it to moral respect. This issue is sometimes framed to require one to define a "person" or to decide when "life" begins. I hope to show that it is so difficult to supply a persuasive answer to these questions as to raise the possibility that they are the wrong questions. Each implies that there is a moment at which life has not begun or a person does not exist and then, immediately following it, a moment at which life has begun or a person has come into being. In other aspects of our daily affairs, we do not accord moral respect on the basis of such precise off-on, no-yes distinctions. Rather, we grant greater and greater degrees of moral respect to people to the extent that they conform in their conduct and manner to widely shared standards of what it means to be human. A deranged homicidal maniac who is stalking the streets killing innocent victims is alive and a person, but we have few qualms about the police shooting him down on sight. An elderly man who has been a devoted husband and father but who now lies comatose in a vegetative state barely seems to be alive; an elderly woman who was once a loving wife and mother but who now acts bizarrely under the influence of advanced and irreversible Alzheimer's disease barely seems to be a person—yet we experience great moral anguish in deciding whether to withdraw his life support or confine her to institutional care.

The moral qualms we have about abortion arise, I think, chiefly from the instinctive appeal of the infant, a feeling of compassion and attachment that is as natural as any sentiment that ever enters the human breast. Whatever we mean by life or the value we attach to it, few if any of us are likely to deny that our judgment is at root a moral one or to say that it is irrelevant to the position we take on abortion.

THAT is not, in general, how the courts see the matter. Though passionate debates and angry confrontations over the morality of abortion are commonplace, the legal rules governing abortion scarcely refer to these moral issues. In *Roe* v. *Wade*, the decision that legalized abortion, the Supreme Court acknowledged that the state had an "important and legitimate interest in potential life," but did not define that interest as a moral one. On the contrary, it went to great lengths to disavow any interpretation of those words that might seem even vaguely moral.

The Court majority ruled that during the first trimester a woman had an unqualified right to terminate her pregnancy at will; during the second trimester the state could regulate abortions only to protect the mother's health; and during the third trimester, when the fetus was viable, the state, "in promoting its interest in the potentiality of human life," might *choose* to forbid abortions, unless the woman's health or life were at risk. Now, if the Court were concerned about protecting life on *moral* grounds, one might suppose that it would not only allow a ban on third-trimester abortions but would insist upon it.

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But no. In fact, by defining "health" to mean a woman's "well-being," the Court virtually assured that any state law that tried to ban even third-trimester abortions would be open to challenge.

The reason seems clear: if the Court's position were to be even arguably defensible on constitutional grounds, it had to maintain that the fetus was not a person within the meaning of the Fourteenth Amendment. That amendment instructs the states that they may not deprive "any person of life, liberty, or property." As Justice Harry Blackmun, who wrote the majority opinion in *Roe* v. *Wade*, readily acknowledged at the time, if a fetus were a person, then its right to life would be guaranteed. Hence, to uphold a right to abortion, the Court would have had to show that at some stage during its development a fetus was not a person. When it became a person, which surely had to occur some time before birth, an abortion would be an unconstitutional deprivation of life—in short, murder. Since the Court could not establish when a fetus changed from a nonperson to a person, it could not allow the fetus ever to be defined as a person, for then abortions would always be murder. Determined to create a right to abortion based on the assumption that the mother was a person with a "right to privacy" and the fetus was a nonperson with no rights at all, the Court when it came to defining what a state might do during the third trimester allowed the government to "regulate, and even proscribe, abortion," but it did not insist that it do either.

This rights-based view of abortion held sway for two decades and, until somewhat modified by the Court in *Casey* (1992), was reiterated and extended by a series of decisions which not only implicitly denied that abortion was a moral question but struck down almost any state attempt to confront a pregnant woman with either practical or moral arguments about the possible consequences of abortion. In 1983 the Court overturned an effort by the city of Akron to impose a mandatory 24-hour waiting period between an application for an abortion and its performance. In 1986 it overruled a Pennsylvania attempt to require that a woman asking for an abortion be informed about the availability of prenatal care, child-support programs, and adoption agencies. An interesting feature of the Akron ordinance was that it supplied the woman with materials on the physical features of the fetus so that she would know what she was confronting.

In all these cases, the unifying theme of the Court majority was that abortion was a right that a woman alone was entitled to exercise; the state not only could not make that decision for her, it could not even try to influence how she made it.

THE result of this doctrinal position was, as Mary Ann Glendon of the Harvard Law School has shown, to make abortion policy in the United States more radical than that in any other industrial nation, with the possible exception of the People's Republic of China.

In virtually every European nation, the right to abortion is either sharply limited or, if generally permitted in the early months of pregnancy, surrounded with constraining regulations in the later months. And in most of these nations, a woman alone cannot decide the matter. In England and Switzerland, for example, two doctors must certify the existence of legal grounds for an abortion. In Greece and Germany, a woman must seek a second opinion from a doctor other than the one who is to perform the abortion. When the abortion is to occur late in the pregnancy, many nations oblige the woman to present her case to a committee or board for approval. In Israel, an abortion is permitted in the first trimester, but only when approved by a doctor and then only when the woman is under seventeen or over forty years of age, the child was conceived out of wedlock, there is a risk of a genetic defect, or it is necessary to protect the mother's health. Even Sweden allows more regulation than does the United States; there, abortion on demand is available, but only until the 18th week of pregnancy, while here it is available for at least 24 weeks.

The difference between the American and European approaches to the issue arises from how the decision was made and the philosophical framework in which it was cast. Here, the courts decided the matter; abroad, the legislatures decided it. Here, the issue was defined in terms of individual rights; there, it was often defined in terms of moral responsibility. Here, the legal rules were at odds with public opinion; there, they more closely approximated it.

Americans have made it clear in repeated opinion polls that they oppose both abortion on demand and a prohibition on all abortions. A majority will support abortions under carefully defined circumstances, such as a pregnancy that endangers the mother's life or is the result of rape, particularly (and possibly only) during the first trimester. There has been little change in these views since *Roe* was decided. They seem to reflect an underlying belief that the fetus is entitled to some degree of moral respect, especially after it has developed for a few weeks, a degree of respect that does not preclude taking into account important competing considerations, such as the health of the mother. In short, Americans are philosophically at odds with the Justices who have fashioned their abortion law.

That gap was reduced somewhat by the *Casey* decision in 1992. Then, a bare majority of the Justices reaffirmed *Roe* but changed its meaning and application. Speaking through Justice Sandra Day O'Connor, the Court reasserted that a woman has a "constitutional liberty" to "some freedom to terminate her pregnancy." But the state is now allowed to place restrictions on this right, even when the fetus is not yet viable, provided those restrictions do not impose an "undue bur-

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den" on its exercise. For the first time, the Court seemed to uphold such restrictions as a 24-hour waiting period, a requirement that teenagers obtain the consent of their parents (or, in special circumstances, a judge), and the mandatory provision of written materials about alternatives to abortion.* Though the practical effect of the acceptance of these restrictions is uncertain, it is clear that for the first time the official opinion of the Court acknowledges the possibility that the fetus is entitled to some degree of state protection.

But protection on what grounds? There are two possibilities—that the fetus is a person who, like the mother, has rights, or that the fetus is a form of human life that is intrinsically entitled to protection. In a recent book, Ronald Dworkin of Yale and Oxford has made this distinction and assessed its implications.†

Dworkin argues that if we think a fetus is a person with constitutional rights, then American opinions about abortion are inconsistent. In particular, the exceptions for rape and incest make no sense. If it is wrong to kill a person, and the fetus is a person, then it is as wrong to kill a fetus that is the product of rape or incest as it would be to kill a newborn infant who was conceived in that manner. If a fetus is a person with rights, then it has those rights whether it is in its first trimester or third and whether it is healthy or deformed.

If, however—Dworkin goes on—our views about abortion are shaped, not by the logic of rights but by the value we attach to human life, then American opinions become more coherent. As a fetus grows it becomes more lifelike, and the more lifelike it is the greater claim it has to our moral respect. If it is horribly deformed (owing, say, to a chromosomal abnormality or a prenatal injury), then it is less human and exercises somewhat less claim on our moral respect. Dworkin argues, I think correctly, that when the great majority of people think about abortion, they think in terms of the value and meaning of life, of the nature of humanity, and not in terms of individual entities asserting rights against one another.

Since Dworkin is a celebrated philosopher who has been strongly identified with "rights talk"—his first book was called *Taking Rights Seriously*—this modification of his views itself deserves to be taken seriously. Most academic political and moral philosophy is about rights; by contrast, most conversations among ordinary people about political and moral issues are not about rights, but about decency, duty, and self-control. As I have argued in *The Moral Sense*, the disjunction between how philosophers define philosophy and how people think philosophically constitutes a major strain in contemporary culture.

It is thus a noteworthy event for one of our leading academic philosophers to suggest that abortion under some circumstances may be wrong because it insults the intrinsic value of human life. But of course this leaves two large questions to be answered: When does the fetus acquire a life that has intrinsic value? And what role shall the government play in protecting that value?

I do not find Dworkin's answer to either question very persuasive. Like most supporters of a woman's right to abort, he finds no clear line that determines unambiguously when life begins. As I have already indicated, I agree with this judgment. Life emerges, or more accurately, the claims that developing life exert upon us emerge, gradually but powerfully. Everyone recognizes the force of this emergence because everyone (or, I suppose, nearly everyone) recognizes that aborting a fetus near the end of its term is morally a far more serious matter than aborting one shortly after it has become implanted in the womb. Similarly, a mother will usually grieve more deeply over the death of her three-year-old child than over the death of her newborn infant, and more deeply over the latter's death than over the miscarriage of an embryo.

Dworkin explains these near-universal reactions by the concept of investment. The death of an infant is worse than that of a fetus because a greater investment has been made in the former than in the latter. The investment is of two sorts, biological and social.

I think this is too narrow a view of the matter. It may be true, as Dworkin suggests, that the death of an adolescent girl is worse than the death of an infant because the adolescent's death "frustrates the investments she and others have already made in her life." But I doubt that this is the whole story.

The greater grief a mother experiences at the death of an infant than at the death of a ten-week-old fetus does not arise, I think, from the mother's feeling that her carrying the fetus to term was more costly or constituted a greater waste of resources than carrying the fetus for only ten weeks. I obviously cannot speak for mothers, but I would imagine from what they say that their feelings on the occasion of the death of an actual or potential child do not reflect lost investment but lost humanity: the newborn infant is distinctly human, a person whom the mother loves and of whom she expects a full and mutually rewarding life, while the fetus is somewhat less fully human.

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* I say "seemed to hold" because these restrictions were accepted by Justices Sandra Day O'Connor, David Souter, and Anthony Kennedy, but apparently rejected by Justices Harry Blackmun and John Paul Stevens, whose partial concurrence with their three colleagues was necessary to produce the five-to-four verdict reaffirming *Roe*. What state restrictions will in practice pass constitutional muster remains to be seen.

† *Life's Dominion: An Argument About Abortion, Euthanasia, and Individual Freedom*, Knopf, 288 pp., $23.00.

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Moreover, the mother sees the infant but not, ordinarily, the fetus. There are bonds in both cases, but the bonds are far greater and the loss far more poignant when the infant has been held in her arms.

Dworkin rejects this line of reasoning. Unaccountably, he writes that the greater gravity of a late-term abortion than of an early-term one cannot be explained "on the ground that fetuses more closely resemble infants as pregnancy continues." To him, "increasing resemblance alone has no moral significance." He gives no reason for reaching that conclusion, one that strikes me as wholly at odds with everything that could plausibly be surmised about a mother's feelings. Suppose a woman has had, on different occasions, both an early miscarriage and a late-term one; suppose that she looked upon the two fetuses: can anyone doubt that the greater grief she would feel in the second case would to an important degree be caused by the close resemblance between the late-term fetus and a live infant?

Nor can the investment theory explain why a young mother might be willing to sacrifice herself for her young child (if, for example, both are in a burning building and only one can be rescued) or how onlookers would react to her refusal to make that sacrifice. There is greater investment in the mother than in the child, but I conjecture that many mothers would tell the rescuers to take her infant first even if that materially increased her chances of dying, and I further conjecture that if she did the opposite—insist that she be taken first and the infant second—most onlookers would feel she had acted wrongly, even cruelly. The onlookers' criticisms would not be moderated by her later explaining to them that nature and society had made a greater investment in her.

I want to assert that it is precisely the degree of resemblance between a fetus and an infant that is of moral significance. We should focus on this point if we believe, as both Dworkin and I do, that because society has an interest in making certain that the intrinsic value of human life is respected, it also has an interest in "maintaining a moral environment in which decisions about life and death are taken seriously and treated as matters of moral gravity."

BEFORE turning to the policy implications of that view, let me take up in general terms what Dworkin thinks the government is entitled to do. Here he makes what, if I understand him correctly, is an astonishing claim.

To him the moral issue concerning abortion has to do with the intrinsic value of human life. I, and I think most people, agree. To him, human life can only have intrinsic value if we think it is, in some sense, sacred. On this, many people will agree, some will disagree. But if fetal life enjoys some degree of moral respect because it is sacred, then, he says, the government of the United States cannot regulate abortions, at least in the early months of pregnancy, without violating the First Amendment prohibition on the enactment of laws respecting the establishment of religion. Since our disagreements about the value of life are at bottom spiritual, the legislature cannot, without violating the separation of church and state, impose one concept of the spiritual on people who have a different concept.

Lest I be accused of misrepresenting Dworkin, let me quote him:

> A state may not curtail liberty, in order to protect an intrinsic value, when the effect on one group of citizens would be special and grave, when the community is seriously divided about what respect for the value requires, and when people's opinions about the nature of that value reflect essentially religious convictions that are fundamental to moral personality. . . . I conclude that the right to procreative autonomy, from which a right of choice about abortion flows, is well grounded in the First Amendment.

But abortion is not the only case that invokes our concern for protecting the intrinsic, perhaps sacred, value of human life. We also oppose infanticide and homicide for these reasons. Why do we allow the legislature to pass laws prohibiting them? Given the criteria Dworkin sets forth in the statement cited above, it can only be that "the community" is not "seriously divided" about these matters. But suppose it were. Suppose this were 1944, not 1994, and lynchings were commonplace in certain parts of the country. People were then "deeply divided" over what respect, if any, was due to the life of a black man. Some people genuinely believed that only vigilante justice could maintain a society based on the (to them) necessary principle of white supremacy. Should people who disagreed with this view—who felt that the life of a black man was entitled to as much respect as the life of a white one—have been forbidden from enacting their views into law because to do so would have violated the separation of church and state?

Or suppose that a legislature is trying to decide whether to enact the death penalty. The legislators will be deeply divided over the issue. Some will think that all human life, even that of convicted murderers, is sacred; others will argue that the life of a victim deserves great respect and the life of the murderer none at all. Lest there be any doubt as to the religious basis of some of these views, both sides will quote from the Bible. Can the legislature vote for the death penalty (or even vote against it!) without violating the First Amendment? If the views of former Justice William Brennan opposing capital punishment had prevailed, would he have been placing the Eighth Amendment (barring cruel and unusual punishment) at war with the First Amendment?

Suppose, finally, that American armed forces were to conquer a nation in which many people

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practiced infanticide. (There may not be many such places now, but at one time there were.) Suppose, further, that the conquest was defensible on moral and legal grounds. If the President were to order his commanding general to make infanticide illegal in the occupied land and to stamp out its practice by whatever means seemed appropriate, would he be acting contrary to the spirit of the First Amendment to the Constitution?

There is perhaps one legal doctrine that may appear to be analogous to Dworkin's position on abortion. The courts have refused to allow the government to conscript as soldiers men who are, on religious grounds, conscientiously opposed to war. In doing this, the courts have given the widest possible meaning to the phrase "religious grounds," so that it is not necessary that the objector actually believe in God. But this is not really analogous at all. The courts have not held that war and conscription are impermissible because the community is deeply divided over the rightness of war and that this division reflects spiritual attitudes toward life. Nor have the courts struck down on these grounds any declaration of war.

I believe that the reason Dworkin is unwilling to allow legislation restricting abortion (except, perhaps, in the last trimester) is that, contrary to the implications of his moral argument, he is at heart a person who sees this issue entirely in terms of rights. A woman's right to "procreative autonomy" is trumps. He suggests that this right ought to be exercised with due regard for its moral seriousness, but then rejects virtually every legislative enactment that would have the effect of stressing its moral seriousness or heightening a woman's moral awareness. Though he allows in principle for some (unspecified) pre-abortion restrictions before the fetus becomes viable, in practice he is against almost every law that has been passed with the intention of influencing—just influencing, mind you, not dictating—how a woman should make her decision. Dworkin opposes a requirement that the spouse be notified or that a waiting period occur before the abortion takes place. (He supports a required waiting period before buying a gun, but not one before having an abortion!) Even a 24-hour waiting period might, in his view, make it more costly for some women to have an abortion and thus might deter them from doing so; therefore, such a brief period must be unconstitutional.

I WISH to take more seriously than Dworkin the moral approach to abortion and see where it might lead us. To some people, it requires one to ban all abortions because life begins at the moment of conception. This position has the apparent virtue of drawing a bright, clear line. But I am not convinced that such a bright line can in fact be drawn because I am not convinced that there is such a thing as the "moment of conception."

Long before conception, each female egg and each male sperm is alive and each contains within it, encoded in DNA, human life. Though the production of a human being cannot begin until the egg and the sperm are united in the zygote, the elements (some would say the blueprints) of human life already exist. Conception does not summon forth life where none existed before; it permits life to begin developing toward its infant form. If the penetration of the egg by the sperm is the crucial moment, then one must oppose not only abortion but many kinds of contraception, since some of these—such as the IUD and some birth-control pills—prevent the already fertilized egg from becoming implanted on the wall of the uterus. That is the position of the Catholic Church, and it has the merit of complete consistency.

It is consistency purchased at a high price, however, for it requires one to believe that contraception is immoral. I do not think most people anywhere believe that or can be made to believe it. Nor do I believe it. A sperm and an egg, whether separate or just joined, do not arouse the moral sentiments that we associate with human life. It is just as well that people feel this way, because not every zygote becomes an embryo. Many fail to implant on the uterine wall; of those that do implant, perhaps no more than half survive for two weeks. According to one expert (Arthur Hertig), only about one-third of all zygotes survive. Nature flushes away a large fraction of fertilized eggs. If we think that it is the moment of conception at which sacred life begins, then we should be searching for ways to induce more frequent implantations and expressing our anger at how an unfeeling nature is defying our moral beliefs.

But if the line is not drawn at conception (or implantation), then where? Surely it must be drawn well before birth, since the fetus is viable many weeks before a normal delivery. Yet I doubt that a sharp line can be drawn at all. Embryonic and fetal development does not proceed by crossing lines; it is a continuous process governed by no fixed blueprint but by the iteration of many succeeding cell divisions, the outcome of which it is impossible to foretell.

But life in general is filled with circumstances in which the alternatives are not clearly defined. I cannot define twilight, but that does not mean that I cannot tell the difference between night and day. Our inability to draw a line should no more disable us from making moral judgments about a fetus than it prevents us from making such judgments about children or adults. We cannot specify in advance, for all cases, when a promise is so binding that it must be obeyed whatever the circumstances and when circumstances permit one to ignore it. We have an obligation to act fairly, by which I mean treating equals equally, but we cannot draw clear lines that specify over all or even most cases what constitutes an equality of condition that requires equality of treat-

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ment. Though we cannot make the specifications, we nonetheless feel, and usually feel quite strongly, that keeping promises and acting fairly are moral obligations.

THOUGH no line can be drawn, we can identify, I think, the rough stage in embryonic development when, if we are made unmistakably aware of it, our moral sentiments begin to be most powerfully engaged. People treat as human that which appears to be human; people treat as quasi-human that which appears quasi-human. Imagine a room on the walls of which are arrayed, in chronological order, exact color photographs of the human embryo, suitably enlarged, from first fertilization, through early cell divisions and implantation, through the emergence of various human, or human-like, features, and on to the complete fetus the day before normal delivery. There would be 266 photographs in all, one for each day of embryonic or fetal development. Suppose we then ask a variety of people, but perhaps especially women, to examine these photographs and to tell us in which one, or in which small cluster of them, they first see what appears to be "a baby." Having examined such pictures, most people, I speculate, would select those that represent life at around seven to nine weeks after conception.*

In the first and second weeks of pregnancy, all that is visible, and just barely visible, is a fertilized egg, or zygote. By the fourth week, some organs begin to appear and function, but in no recognizably human form. In the fifth week, a creature is visible, but one that is not materially different from a mouse or pig. By the seventh week, distinctly human arms and legs are evident and not only the eyes but the eyelids are visible. In the eighth, though the fetus is but an inch and a half long, the fingers are distinct and the genital organs, though still unsexed, have appeared. At the end of the eighth week, doctors stop calling what they see an embryo and begin calling it a fetus. By the tenth week at the very latest, the fetal face has a clearly human appearance.

It would be even better to view motion pictures rather than stills. A pregnant woman will feel fetal movement after eighteen or nineteen weeks of pregnancy—a feeling, I am told, that is an inexpressible source of wonder and joy—but in fact the fetus has already been moving—flexing, jerking, and hiccuping, too gently for the woman to sense it—since the ninth or tenth week.

Now, my speculation may turn out to be incorrect. At the very least, the viewers' responses to these pictures will cover a range, with a few saying "it's a baby" as early as the fifth week and a few withholding that judgment until perhaps the tenth week. I would be astonished if any withheld that judgment for as long as the end of the first trimester (roughly, the twelfth week).

Suppose, now, that a woman considering an abortion were brought into this room and shown these pictures. She would be told something of this sort: "You are *X* weeks pregnant, as near as we can tell. The embryo now looks about like this (pointing). In another week it will look like this (pointing). You should know this before you make a final decision."

Some will complain that this exercise would put a woman under moral pressure. Yes, it would; that is exactly why I think it should be done. The problem with deciding on an abortion without a visual encounter with the fetus (or embryo) is that one is relieved, to a degree, of any sense of the extent to which another life may be at stake.

I do not propose this exercise because I am convinced that no woman, seeing the pictures, would agree to an abortion. There are many considerations that will enter into her decision, and some will, on balance, lead her to abort. Nor do I assume that most women now make this decision lightly or unthinkingly. I propose this procedure because it is likely to induce every woman to make a fully informed moral decision.

She will, of course, already be generally aware that abortion is a grave step and vaguely aware that another life may be at stake. But these sentiments will, of necessity, be somewhat vague or unfocused. She will be keenly aware of whatever is at stake in her personal circumstances—her married or unmarried status, her career plans, her economic or social position—that may incline her to abort. She will not be as keenly aware, I suspect, of what is at stake in the development of the fetus. We all find it easier to prefer an outcome we value and can visualize to one that we value but cannot visualize. Being required to see—literally, see—both sides of the issue makes the moral issue clearer and heightens the sense that the choice is, inescapably, a moral one.

ALL of us are in asymmetrical moral positions of this sort at one time or another. We worry more about a stray cat when it is at our doorstep than when it is out of sight. We may have a policy about giving to a beggar, but no policy quite prepares us for a personal confrontation with one. A pilot will find it easier to drop a bomb on a building in which women and children are hiding than to place a bomb in that building having first seen the women and children in it. A soldier may find it less troubling to shoot an enemy he cannot see than one with whom he has suddenly come face to face. A business executive finds it simpler to "downsize" his firm than to fire a veteran employee who is standing before him. For our moral sentiments to provide a useful guide to our actions, it is often necessary for us to experience, and not simply imagine, those sentiments and the conditions that evoke them.

* Readers not familiar with the magnificent color photographs of embryos and fetuses made by Lennart Nilsson should examine his *A Child is Born* (Dell, 1990).

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Some abortion clinics defer to—or play on—this asymmetry in the woman's feelings. A woman goes to a clinic for a pregnancy test; a day or so later she telephones to get the result. The clinician begins by asking, "Will pregnancy be good news or bad news?" If the woman says, "Bad news," the clinician will immediately ask, "Do you want to terminate?" The stage of fetal development is never mentioned. The word "abortion" is never used. She is simply scheduled for a "procedure."

The alternative that I am suggesting is, in effect, followed when a doctor has reason to think that a woman is carrying a seriously deformed fetus. In a famous case in 1962, Sherri Finkbine of Arizona followed this procedure when, knowing she had taken thalidomide, she saw pictures, or at least heard vivid descriptions, of the horribly deformed babies that had been born in Europe to women who had also used the drug; unable to obtain an abortion in Arizona, she got one in Sweden. (The fetus was badly deformed.) My procedure does not prejudge the outcome; it only clarifies the moral choice. I suppose some women (I imagine very few) would abort what appeared to them to be a normal human baby. But at the very least they would not do it in feigned innocence or real ignorance.

The theologian Paul Ramsey once described what the current situation now entails:

> In this instance, the darkness of the womb makes unnecessary resort to a mortician's art to cover the grim reality. As long as we do not see the deaths inflicted or witness the dying, the direct killing of nascent life has only to be compared with the greater or lesser convenience of other solutions in an antiseptic society.

Shine the photographer's light into the dark womb, and things change, not perhaps as much as Ramsey would have liked—he was a stern and uncompromising foe of abortion—but to some material degree. Even after viewing the photographs, a woman might elect an abortion long after the fetus had become distinctly baby-like. Her life might be in serious danger, or delayed fetal abnormalities might appear. But I believe—or, at any rate, I very much hope—that only such grave circumstances would lead to abortions much beyond the eighth week.

And that includes abortions when the mother has been the victim of rape or incest. In a purely rights-only perspective on abortion, a pregnancy resulting from rape violates a woman's right not to become pregnant against her will. That violation would justify an abortion even at a late stage in the pregnancy. But a moral perspective would suggest that, if there is to be an abortion, it ought to be before the fetus appears human, which is to say precious, innocent, vulnerable, appealing; if the woman waits beyond that point, then a moral perspective would suggest that the baby, however conceived, should be carried to term and, if the woman wishes, put up for adoption.

Some readers will note that my position on abortion is rather similar to that of certain philosophers, such as Aristotle, and medieval theologians, such as St. Thomas Aquinas, who suggested that a fetus does not become a person until it is "ensouled" or "vivified." Aristotle suggested that movement, or quickening, occurs in the male fetus after about 40 days and in the female one at about 80 days, although he immediately added that this was only a rough estimate. Apart from the questionable distinction between the two sexes, it is my conjecture that Aristotle, who was the greatest biologist of premodern times, based his judgment on an inspection of actual fetuses. According to modern embryological research, Aristotle was roughly correct to find that the fetus acquired human features and began to move at (to take the midpoint between 40 and 80 days) 60 days: about 8 or 9 weeks.

Aristotle's view on this matter influenced Aquinas, though the two thinkers came to very different conclusions. Aquinas argued that the human, rational soul was not present immediately after conception. Drawing presumably on Aristotle's concept of quickening, Aquinas suggested that only a human form with human organs could contain a human soul. Before a fetus was a person, it was an animal. A newly conceived embryo was alive, but to Aquinas and those who followed him it did not become a rational, divinely created being until it had been formed by the soul, much as soft wax is formed by a seal. Thinkers holding this view might regard the abortion of an unsouled fetus as a sin, but only the abortion of a souled one as murder.

This was the theory of "mediate animation," which gained the approval of many Church authorities. As early as the 4th or 5th century, long before the time of Aquinas, St. Jerome had written that "seeds are gradually formed in the uterus, and it is not reputed homicide until the scattered elements received their appearance and members." Jerome, like St. Augustine, did not claim to know for certain when the fetus received a soul; only God could know that. But aborting an ensouled fetus was regarded as far more grave a matter than aborting an unsouled one. By the 12th century, both the theologian Gratian and Pope Innocent III were prepared to say that it was not homicide to kill a fetus until after it had been ensouled. This view received the support of Gregory IX in his decretals, but at the same time he made clear that aborting any fetus, however young, was a sin for which penance was required. Some Catholic theologians even suggested that killing an unformed fetus in order to save the life of the mother might not even be a sin, much less a homicide.

By the 19th century, however, Church doctrine

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on this matter had begun to harden. The reasons, it has been suggested, were twofold. First, modern biological science was casting doubt on Aristotle's theory of embryological stages; in the newer view, the embryo was biologically alive from fertilization on. Second, abortion was apparently becoming more commonplace; rare events might be met with equivocal theology, but routine events required clear rules. One by one the exceptions permitting abortion were eliminated and the penalty of excommunication was extended to women who procured an abortion. By the end of the 19th century, abortion was being condemned, and one Vatican ruling even suggested that an ectopic, or tubal, pregnancy (which physicians knew constituted a serious threat to the life of the mother) could not be surgically ended.

In 1930, Pius XI issued an encyclical that denied there were any grounds for allowing abortion at any stage in fetal development. The Bible does not mention abortion, but to Pius it seemed clear that killing a fetus violated the commandment against killing; every life was sacred, and since embryos were alive, every embryo was sacred. When uncertain knowledge and rare events permitted complex judgments, the Church uttered them, but when events—greater knowledge, common events—forced its hand, the Church drew a clear line and stuck to it.*

But was drawing such a line really necessary? John T. Noonan, Jr., a profound historian of Church doctrine from whose writings I have drawn much of the account that appears above, thinks it was. The central question is, "How do you determine the humanity of a being?" To Noonan there is only one possible answer: if you are conceived by human parents, you are human. He recognizes that for several centuries some important Catholic theologians and even some popes gave a different answer, but on reflection all these other answers had fatal weaknesses. Viability is not a guide to an embryo's humanity, since viability can be determined by the skill and resources of modern science; in principle, any fetus might be made viable. Nor is the capacity for having sensory experience a determinant of humanity, because the fetus long before birth has such experiences, and some adults, owing to neurological damage, might stop having experiences without ceasing to be human. I agree with these views.

Noonan also rejects the test I have proposed, but for reasons I do not find convincing. He acknowledges that the grief of a woman over the miscarriage of a fetus is not as great as the grief she would feel over the loss of a child, but he opposes any test based on such feelings because "feeling is a notoriously unsure guide to the humanity of others." He grants that a mother is more attached to an infant she can see than to a fetus she cannot, but says that "sight is even more untrustworthy than feeling in determining humanity." He reaches these conclusions by way of this analogy: since people are known to discriminate against others on the basis of color, race, religion, and language, then feelings and sight are unreliable guides to what is human and thus deserving of respect.

But this is not, I think, a proper analogy. There is no doubt that our feelings about others are sometimes hateful or that seeing the other person does not always draw us to him. But these consequences of the natural human tendency to prefer our own kind do not apply, except in the rarest of cases, to our own offspring. Quite the contrary: that we are led by nature to prefer our own kind, and especially our own children, is the surest reason for believing that we will cherish them, and cherish them the most when we can see and touch them.

Many couples give birth to infants who are not like them in color, configuration, or expression. The Mendelian laws of inheritance ensure that many blond parents will have a black-haired child and many dark-skinned parents will have a fair-skinned one. It may be that some parents become especially fond of babies who are "just like them," but I am aware of no evidence that parents are inadequately attached to infants who differ physically from them. Indeed, I am forcefully struck by how many parents will lavish care and affection even on babies born with terrible deformities or incurable illnesses. Far from being an unreliable guide to affection and moral respect, sight and touch, and the feelings they generate, are the surest possible guarantees of love and care when it comes to infancy.

In sum: saying that a human being with full and absolute claims on our moral respect exists from the "moment" of conception is not consistent with either modern science or natural sentiments; the Catholic Church itself long recognized that a difference exists between a formed and an unformed fetus; whether the forming of a fetus has natural or supernatural causes does not alter the greater feeling a parent has for a fetus the more fully formed it is; and the struggle to sustain a clear, simple line as the sole basis for a judgment about the morality of abortion does not accord with either the sentiments or the prac-

* Jewish teachings about abortion are at least as complex as Catholic thinking. Though some people speak confidently of "the Jewish position," my amateur reading of the summary accounts reveals considerable differences among the authorities. It seems clear that abortion to protect the life of the mother is permitted. Abortions for other than therapeutic purposes are treated as morally grave matters, but there is no codified position as to what constitutes "grave." One modern rabbinical authority describes elective abortions as "akin to homicide," while another would permit them if there were a good reason. Among such reasons is the anguish of the mother at the prospect of a deformed child. See the *Encyclopaedia Judaica* (1971), Volume I, pp. 98-101, and David M. Feldman, *Marital Relations, Birth Control, and Abortion in Jewish Law* (Schocken, 1974), chaps. 14-15.

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tices of most decent people. Therefore, one should try to clarify the moral issue in ways that draw on the natural respect people have for innocent life by making them, and especially pregnant women, more fully aware of the presence of that life and of the claims it makes on us.

I HAVE yet to discuss how, if at all, the law should take account of this position. If my experiment were carried out and there developed a consensus as to when an embryo became a baby, should the law recognize this and ban abortions after that period? I believe that it should, provided there were exceptions for grave and special cases (such as a severe deformity), and even then only after the woman had obtained the advice and consent of disinterested and expert parties. But before voting for such a law, I would prefer to wait and see what would happen if my procedure were followed.

For it to be be followed, the Supreme Court would have to change its position. The necessary changes are prefigured in the language of the *Casey* decision. It rejected the trimester framework of *Roe*; it reaffirmed the state's legitimate interest in "the protection of potential life"; and it explicitly held that even though a woman alone must choose whether to abort before the fetus is viable, the state is not prohibited "from taking steps to ensure that this choice is thoughtful and informed." Even in the earliest stages of pregnancy (I would have said, *especially* in the early stages), the state "may enact rules and regulations designed to encourage her to know that there are philosophic and social arguments [I would have said, moral arguments] of great weight that can be brought to bear in favor of continuing the pregnancy to full term." But having said that, the Court then went on to rule out any regulations that would create an "undue burden" or present "a substantial obstacle" to a woman seeking an abortion. I suspect that my procedure would fail the undue-burden test, though I can find no philosophical argument in *Casey* as to why it should.

I would much prefer the Court to give greater latitude to state and federal legislatures to define a policy in this area, one that takes as its first principle the protection of human life. This is what the French statute, passed in 1975, does. It states that "the law guarantees the respect of every human being from the commencement of life. There shall be no derogation from this principle except in cases of necessity and under the conditions laid down by this law." The law goes on to specify the circumstances under which the principle can be violated, describing them as matters of "necessity." As it turns out, "necessity" means that a woman who, during the first ten weeks of pregnancy, finds herself in "distress" is entitled to terminate her pregnancy after she has received government-mandated counseling. But the final decision is hers.

Mary Ann Glendon has endorsed the general principles of such an approach, pointing out, rightly, that it elevates moral considerations over purely personal preferences or individual rights, and that even though an elective abortion remains available during the first ten weeks, "the way in which we name things and imagine them may be decisive for the way we feel and act with respect to them." Her Harvard colleague, Laurence Tribe, dismisses such a view; to him, a policy that is a mere formality is a meaningless hypocrisy, whereas one that has any effect "disempowers and disrespects women." To him, even a moderate regulation of abortion "trivializes women." This is too much even for Ronald Dworkin, who chides Tribe for being a prisoner of his rights-only mentality.

Several people, including President Clinton, have said that abortions ought to be safe, legal, and rare. So long as the issue is dominated by pro-choice activists like Tribe who see the matter largely if not entirely in terms of women's rights, abortions will be safe, legal, and commonplace. No restrictions at all will be possible because, by constraining a woman's choice, they will "disempower" or "trivialize" her.

I do not think that there is any possibility of a consensus among pro- and anti-abortion activists, and as long as the matter is defined in terms of rights, the pro-abortion activists will win. For hardly any politician is willing to vote against "rights." By contrast, the American people are less preoccupied with rights and more respectful of life. Even though they are ultimately willing to let a woman make the final decision, they want to ensure that it is a morally constrained and fully informed decision.

I wish that this nation could start afresh, formulating *de novo* a legislative policy on abortion based on the fundamental premise that abortion is a moral question but not one that invariably admits of only one answer in all circumstances. Most other nations have done just what this country seems incapable of doing. This is the price—and I think it a very heavy price indeed—we have paid for turning so important a matter over to Justice Blackmun and his colleagues.

What kind of people are we that we cannot say, legislatively, that human life is precious, that an infant's life is perhaps the most precious of all, and that we want to ensure that women are placed in a "moral environment in which decisions about life and death are taken seriously and treated as matters of moral gravity"? Many women, perhaps most, already treat this matter as a morally grave issue, but many do not—it is for them a form of birth control—and even those who do may not always clearly see, and thus fully sense, what is at stake. Let them see it.

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Family Values & the Jews

Jack Wertheimer

EVER since the release of the finding (from the 1990 Jewish Population Study) that rates of intermarriage have surged in recent decades, leaders of the major American Jewish organizations have agonized over a crisis of "Jewish continuity" in this country. Advertisements have appeared in major newspapers aimed at inspiring Jews to find meaning in their Jewishness; sessions devoted to "Jewish continuity" are regularly featured at conferences of Jewish communal workers; and educational programs, such as day schools and study in Israel, have won new respect—and even some additional funding.

Yet in all the talk about "Jewish continuity," little attention has been paid to the Jewish family. This is, on the face of it, surprising: after all, when the euphemisms are stripped away, a community preoccupied with its prospects for long-term survival would seem to need to focus precisely on problems within the family that may prevent the transmission of a clear and strong identity. And in the case of the Jewish family, such problems exist aplenty. Quite apart from the high incidence of intermarriage, survey research provides ample evidence of rising rates of divorce and/or deferred marriage among Jews; of massive geographical dislocation which affects family cohesion; and of other symptoms, mainly stemming from the sexual revolution, that severely affect the Jewish family's ability to nurture a strong Jewish identity in its youth.

Similar problems, of course, beset other faith communities in the United States, and indeed the country as a whole. The "family-values" debate is very much alive among Catholics and Protestants, who find themselves embroiled in controversy these days over questions of human sexuality, birth control, gender roles, and divorce, as well as over what children learn in school.

The organized Jewish community has been far from silent on these issues—at least as they concern American society as a whole. Yet within that context, the position taken by Jewish organizations has been essentially one-sided. Thus, for well over a decade, NJCRAC, the umbrella organization of Jewish community-relations agencies, has issued annual resolutions unequivocally supporting the pro-choice side in the abortion debate. Indeed, the pro-choice campaign serves as one of the key areas of domestic consensus in the Jewish community, with only the Orthodox groups entering a demurrer. Similar consensus exists on aid to dependent families, national health care, programs for children in crisis, and other such matters. Lately, several Jewish groups have become exercised over gay rights, with the Reform movement even taking on the American Boy Scouts for discriminating against homosexuals as troop leaders.

That more than one of these positions may be harmful to the *Jewish* family does not seem to occur to their supporters within the Jewish community. Moreover, when it comes to the specific challenges facing Jewish families and their children, we encounter an embarrassed silence that stands in sharp contrast to the vociferous stands taken in favor of the liberal catechism on family values as they affect society at large.

On the secular side, the network of local philanthropic bodies which fund most Jewish agencies—the "federation world"—invokes Jewish continuity but offers neither an explanation of why such continuity is important nor a definition of the content of Jewishness. This unwillingness to define norms is reinforced by a deliberate policy of striving to ensure that as many Jews as possible be brought into the communal tent; with ever-larger numbers drifting away, the organized community has resolved to make every Jew count. Sociologists in favor of such an approach have dubbed it "realism," arguing that it alone has some chance of reaching contemporary Jews in all their "diversity." But to pursue such an approach means that one must refrain from talking about, for instance, an ideal family structure, let alone deviant ones. So Jewish institutions tend to focus on the safe causes—philanthropy, the dangers of anti-Semitism; about the rest, the less said, the more inclusive.

As for the rabbinic and religious organizations, which should be the natural leaders in the struggle to shore up the crumbling Jewish family, most either feel powerless to influence Jews at

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large or seem fearful of saying anything that might drive away the minority who actually join their synagogues. Instead of acting as interpreters and teachers of a normative tradition, they have recast themselves as therapists to a dysfunctional community. A wag once observed that when rabbis became doctors (of philosophy), the Jewish community got sick. Today, as rabbis become therapists, the community has found itself largely bereft of a superego, in the form of religious leaders willing to articulate what it should and can do.

Let us look at particular cases.

The sexual revolution. Jews enjoy the dubious distinction of having produced some of the most outspoken exponents of the sexual revolution, ranging from publishers of pornography and producers of sexually explicit record albums and movies to gurus of the self-help movements that promote "doing your own thing" and sexual fulfillment. By contrast, few Jewish leaders have ventured to define a Jewish sexual ethic—especially one based on traditional views. Unlike the Catholic Church, for example, which has taken a forthright stand against sexual permissiveness, Jewish religious leaders have been conspicuously unforthcoming on this issue. It is of course hard to know how often ordinary Jews consult with their rabbis about questions of sexuality, but such Jews might be pardoned for thinking that their tradition has little or nothing to say on the matter.

The Orthodox community stands as an exception to this rule, and it is therefore not surprising that Jews of all backgrounds who are in retreat from the sexual revolution have been drawn to the relatively protective world of Orthodoxy. Thus, a recent study concludes that among factors motivating women to turn to Orthodoxy, belief in God is far less significant than is attraction to a more wholesome, family-oriented environment. Of course, even the world of Orthodoxy is not immune to the sexual revolution—according to one study, large percentages of modern Orthodox Jews hold tolerant attitudes toward premarital sex; and family problems, including abuse, are certainly to be found in the Orthodox community. Still, in their approach to sexual morality, Orthodox rabbis have been bold in challenging the pieties of America's permissive culture.

Outside of Orthodoxy, individuals and families struggling with questions of sexual morality have largely been left to fend for themselves. Although a few well-publicized scandals involving married rabbis have emboldened the Reform movement to examine its attitudes toward sexuality, on most issues the countercultural platitudes of the 60's still hold sway in the Jewish community—whatever two consenting adults choose to do is nobody's business. That this approach is diametrically opposed to Jewish teachings is a fact only rarely articulated.

One issue that *has* received attention in the Jewish community is the standing of homosexuals. Most sectors of organized Jewry have passed resolutions opposing civil discrimination against gays and lesbians. What is still a matter of debate is the stance of Judaism itself toward homosexuality: does the Bible's unequivocal condemnation of homosexual acts have any bearing in late 20th-century America? More specific questions involve the religious status of openly gay Jews: may such Jews be ordained as rabbis and cantors or serve in positions of authority within synagogues? May rabbis perform public ceremonies of "affirmation" for homosexual couples? And may gay synagogues be admitted to denominational organizations?

On these questions, Jewish religious movements have staked out a range of positions. Orthodox groups, basing themselves on biblical and rabbinic law, naturally reject any effort to legitimize homosexuality in the Jewish community. Writing in *Tradition*, the publication of centrist Orthodoxy, Hillel Goldberg contends trenchantly that a "homosexual house of worship is the most regressive of institutions because it marks the religious acceptance of homosexuality and the religious inequality of the homosexual—just the opposite of what is religiously required: the rejection of homosexuality and the acceptance of the homosexual."

At the opposite end of the spectrum, the Reconstructionist movement explicitly rejects traditional teachings about homosexuality and insists on the equal religious status of homosexual and heterosexual relationships. This past June, the Reconstructionist Rabbinical Association called upon its members to develop "commitment" and "dissolution" ceremonies for same-sex couples. As for Reform, it decided in 1990 that sexual orientation need not be taken into account as a criterion in the admission of students to its rabbinical seminary, Hebrew Union College (HUC), while also affirming the preference of Judaism for heterosexuality. Not surprisingly, this self-contradictory judgment is now under serious debate within HUC; for how can one expect gay and lesbian rabbis to officiate at heterosexual marriages while denying them the opportunity to consecrate their own relationships?

It is within the Conservative movement that the predicament with regard to homosexuality is most tellingly apparent. Conservative rabbis have gone on record opposing any form of civil discrimination against homosexuals. Within the community, as well, Conservative groups have favored the inclusion of Jewish homosexuals. Thus, when Beth Simchat Torah, the gay synagogue in Greenwich Village, applied to march in New York's Salute to Israel Parade last spring, representatives of Conservative Judaism supported

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the congregation's petition. All this notwithstanding, however, the movement is under fire for not going further. For example, Judith Plaskow, a leading feminist theologian, has excoriated Conservative leaders as "fundamentalists" for resisting the move to ordain openly gay individuals as rabbis. By continuing to uphold a perspective based on Scripture and subsequent rabbinic teachings, the Conservative movement has come under attack for religious literalism and lack of ethical courage.

The reversal could not be more clear: where once homosexuality was deemed immoral by believing Jews, today those who uphold traditional Jewish norms are castigated as immoral. Given the level of vituperation, it is not surprising that few religious leaders outside the Orthodox community venture to apply the teachings of Judaism in this realm, once again leaving Jewish families to make their own way in the brave new world of American sexuality.

The nuclear family. Although Jews have often been singled out as quintessential exemplars of the tight-knit family, today no more than a third of Jewish households consist of two parents and their children. This is a marked departure from the pattern of only a few decades ago.

The overall marriage rate of Jews has also fallen. If once Jews were more apt to marry than were their Gentile neighbors, today they marry in roughly the same proportion. And—what is even more significant—Jewish men and women stay single far longer than their non-Jewish counterparts, with predictable effects on the number of children they are likely to have.

Those numbers in any case continue to be extremely low. Since the early decades of the century, Jewish fertility rates have been consistently below those of white non-Jews, but over the past twenty years they have dropped under replacement level. True, Jewish women under thirty-five do state to interviewers their intention of having more than two children; but given the late age at which they begin the process (and the track record of women who made similar predictions about themselves twenty years ago), it seems doubtful that Jewish families today will produce enough children to replace themselves, let alone to offset the numbers lost through intermarriage.

Although divorce still seems somewhat less common among Jews than among the larger American populace, younger Jews are dissolving their marriages at far higher rates than their elders. Moreover, rates of divorce are greater for Jews who identify themselves as secular and higher yet for intermarried Jews, suggesting that marginally Jewish families are most at risk for breakup.

The impact of divorce on Jewish identification is devastating. For one thing, Jews who remarry after divorce are far more likely to intermarry. A team of sociologists at Brandeis University found that among Jews alive in the mid-1980's, 86 percent had married Jews for their first marriage, but in second marriages the proportion dropped to 70 percent, and in third or subsequent marriages to 54 percent. Divorce and remarriage also raise troubling questions about Jewish identity for children and can leave a residue of bitterness toward the Jewish community.

What has been the response of the Jewish community to these trends of late marriage, childless families, and broken homes? In general, it has followed the prescriptions of the "realists." Since, the reasoning goes, so few Jewish families conform to the model of two parents living with their own children, the community should widen its embrace to bring in all types. Some have even suggested that the nuclear family is no longer necessary for the transmission of a Jewish identity to children. In the words of one academic,

> [I]t is, instead, simply one possible set of relationships through which young people may be born, nurtured, and prepared for membership in the Jewish community, and adults may find opportunities for companionship and intimacy. Once we recognize that there are other means to achieve those same ends, and that even "undermining the family" need not necessarily threaten Jewish survival, the path is open to think about alternatives to the nuclear family.

Needless to say, the author expects "the community" to pick up the slack.

In line with this, and eschewing judgmentalism, synagogues and community centers strive to welcome all, offering special programs and support groups for single adults and single-parent families, and reducing the costs of synagogue membership and school tuition for families that have been impoverished by divorce.

The impulse behind this response is surely generous, but one wonders precisely about its realism. From the hardheaded perspective of communal priorities and costs, the failure of Jews either to marry or to sustain their marriages is not a neutral matter, since vast sums of money and enormous resources must be allocated to aid individuals who may remain, when all is said and done, at the periphery, at the expense of those in the center. Even with the best of intentions, communal and synagogue groups are simply ill-equipped to cope with today's range of alternative family structures—and it is unrealistic to assume otherwise. Although the community certainly cannot prevent divorce or compel Jews to marry, one would think it clearly in its interest to encourage marital stability. This it has not done. Instead, many rabbis and communal workers assume the function of neutral counselors, offering meliorative responses after the damage has been done.

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The needs of children. In their drive to succeed, American Jews have historically given scant priority to the task of shaping their children as responsible and active members of the Jewish community. This lackadaisical attitude has had an accelerated effect in recent decades as new trends have left Jewish children without the tools or the framework needed to forge a strong Jewish identity.

One trend is demographic. During the first half of this century, most Jews were concentrated in Jewish neighborhoods. Even as suburbanization spread the community more thinly, large percentages contrived to remain in close proximity to their extended families and to Jewish institutions. But today, Jews have increasingly joined the highly mobile American population in quest of new economic and occupational opportunities. Almost a third of Jews born in the Northeast now live in other parts of the country.

As Jews leave their extended families behind, they willy-nilly deprive their children of the network of ties that grandparents, uncles and aunts, and cousins can offer. (And as older retirees relocate, they deprive their grandchildren of a critical generational relationship that can foster a strong Jewish identity.) True, many seek a substitute for the extended family in their new places of residence, and many involve themselves in Jewish communal life. But for large numbers of others, these are secondary considerations. In the sunbelt communities that attract the largest numbers of mobile Jews, synagogue and organizational affiliation rates are notoriously low. During the 1980's, only one-quarter of the Jews in Los Angeles and Atlanta, and only one-third in Phoenix, were members of synagogues.

Even those who live near areas of substantial Jewish settlement are moving away from Jewish neighborhoods. Where once it was common to speak of certain public schools as predominantly Jewish in their ethnic composition, today increasing numbers of youngsters are the lone Jews in their class, grade, or even school. And then there are the vast numbers of young people who set out for their undergraduate or graduate studies at schools that offer no substantial Jewish environment. Can it be surprising that in the same decades in which these developments have occurred, rates of intermarriage have soared?

Sheer propinquity makes it likelier that Jews will marry each other: according to a survey conducted in 1991, New York Jews intermarry at half the rate of the rest of the country. But this fact is virtually ignored in the thinking of the organized community, either because no one seriously believes anything can be done to encourage Jews to take such matters into account in making their personal decisions or for fear of offending those who have chosen otherwise.

Another development affecting the young stems from the revolution in child-rearing practices brought about by altered economic circumstances and new social attitudes toward the role of women. Since the 1970's, huge numbers of Jewish children spend many of their waking hours in day-care centers or under the tutelage of adults who are not their parents. Older, so-called latchkey, children are left to their own devices after school hours until their parents return home. When one considers that the parents of a great many of these children are anyway ill-equipped to impart much about Jewish life, and then considers how much of their day is spent with non-Jewish caregivers whose values and outlook may be drawn from vastly different cultures, one can only wonder how such children are ever going to develop a Jewish identity.

Then there is the state of Jewish education. Young people spend pitifully few hours in Jewish study, activity, or religious observance. True, there are exceptions—the parents who see to it that their children are educated and socialized in intensive Jewish environments, including day schools, summer camps, youth programs, and study tours to Israel. Many more, however, place considerably less emphasis on Jewish education than on Little League, piano lessons, and other forms of recreation. Accordingly, Jewish literacy is relatively rare among younger Jews, many of whom cannot read Hebrew, find their way around a prayer book, or answer simple questions about their religion and culture—this, in a community that continues to be vastly overrepresented in the number of young people it sends to American institutions of higher learning.

Intermarriage. This is, of course, the most explosive and widely discussed issue of all. Between the onset of the postwar era and the late 1960's, rates of intermarriage grew from approximately 6 percent to almost 30 percent; by the late 1980's, they had snowballed to over 50 percent. American Jewry has clearly followed the lead of the larger American society, which tolerates and even encourages marriages across religious and ethnic lines. Few are the American Jewish families that have not experienced mixed marriage at first hand or have not grappled with the day-to-day consequences of such marriages.

From the communal perspective, the most painful and vexing issues concern the children. It is now estimated that over one-quarter of children raised as Jews have intermarried parents. The Jewish community is understandably loath to give up on this very large population; a directory of "outreach programs" lists over 350 synagogues and Jewish community centers that seek to reach interfaith couples.

Here again the "realists" make a strong case for adaptation to new social circumstances. Given the numbers of intermarried families, they argue, the community must find the resources to win

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their allegiance. To give up on so large a population would be akin to amputating whole limbs from the body of American Jewry.

But—again—is this argument truly realistic? It is already increasingly difficult to retain the loyalty of children raised by *two* Jewish parents; what then is the likelihood of winning that of a child raised in a dual-religion household and with a set of non-Jewish grandparents? All the evidence to date suggests that outreach to children of interfaith families is a very long shot.

In addition, as the Reform movement is now discovering, there can be negative consequences when the community extends itself to include intermarried families. Since 1983, Reform has moved aggressively to court such families: it has broadened its definition of "who is a Jew?" to include children of a Jewish father (in contradistinction to the traditional rabbinic definition which recognizes only the offspring of a Jewish mother); and it has intensified its outreach efforts by eradicating distinctions between Jews and non-Jews within the synagogue. In some congregations, non-Jews serve on committees and boards, and routinely participate in the religious service. Thus, when a child celebrates a bar or bat mitzvah, the non-Jewish parent may take equal part in a ceremony in which the Torah is handed from one generation to the next as a symbolic representation of the transmission of Jewishness. Some temples also call non-Jews to the Torah but emend the text of the traditional blessing to refer to divine "teachings" rather than God's Torah.

These expressions of inclusiveness come, however, at the expense of non-intermarried families. Some Reform leaders publicly worry that worship services will become increasingly syncretistic: after all, if Jewish prayers can be changed, why not allow the non-Jewish parent to offer a prayer of his own—the Lord's Prayer, for example? Moreover, the large numbers of intermarried families joining Reform temples—in many, they constitute between a third and a half of the members—now form a major lobby. Rabbi Joseph Glaser, executive vice-president of the Central Conference of American Rabbis (the Reform rabbinical organization), recently lamented to his colleagues that it is increasingly difficult for rabbis to speak out publicly against intermarriage for fear of alienating their own congregants, the very people who will vote on their contract renewal. The aim of inclusiveness, in other words, has resulted in making it perilous to express the belief that the Jewish family must remain . . . Jewish.

The efforts to woo intermarried families highlight the extent to which the so-called realistic approach has undermined the ability of the Jewish community to articulate norms and ideals in the whole area of "family values" and, by extension, continuity. In the name of pragmatism and "pluralism," the community is urged to reach out to all. If only, it is argued, great efforts could be made to elicit the interest of Jews who do not conform to the conventional profile, huge numbers might be won over—this, at a time when agencies are slashing their budgets, when existing educational institutions are barely keeping afloat, and when the organized community faces the continued prospect of decreasing contributions. Simultaneously, the realists have convinced Jewish leaders to withhold what is most in their power to offer. To speak of the obligation of parents to children; to insist that mixed marriage is suicidal for the Jewish community (and demonstrably problematic for the family); to teach the Jewish view of sexual morality—this is deemed offensive and counterproductive. From the perspective of tradition, and from the perspective of realism, one can hardly imagine a less productive way to cope with the gap between actual life circumstances and Jewish ideals.

If young Jews are to be persuaded of the value of being and remaining Jewish, they will need to know that Judaism has something transcendently compelling—something truly countercultural—to say about what is most important to human beings: matters of life and death, questions of morality and ethics, the content of a proper education, the obligations of family members to each other and to their community. It is heartbreaking that this is practically the last thing they are likely to hear today from their elders, who would seem to have neither the conviction nor the inclination to speak in the name of the values that have traditionally guided Jewish families seeking to transmit a strong Jewish identity to their children.

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The NAACP Turns Left

Arch Puddington

THIS past November, Bill Clinton delivered what may come to be regarded as one of the most important speeches of his presidency. The subject, black-on-black crime in the inner cities, was an unusual and even risky issue for a white politician to address. Other elected officials, black and white alike, have generally shrunk from serious comment on black crime—whites for fear of being accused of "blaming the victim," blacks for fear that their words might provide fodder for political adversaries.

Clinton, of course, is a liberal Democrat who has appointed numerous blacks to high positions and endorsed the major items on the civil-rights legislative agenda; he could thus anticipate being welcomed by a black audience—in this case, a convention of clergymen gathered at the church in Memphis, Tennessee, where Martin Luther King, Jr. delivered his last sermon—as a friend and ally.

Furthermore, Clinton's speech came in the wake of a well-publicized anti-violence campaign launched by the Reverend Jesse Jackson which focuses on students in inner-city high schools. It has also been suggested that the speech reflected a continuation of Clinton's successful presidential-campaign strategy of balancing his liberal appeals for activist government with "New Democrat" themes like crime, welfare dependency, and "personal responsibility."

Yet even if Clinton was motivated by political calculation, this does not detract from the speech's message, the eloquence of its language, or its passion. Clinton, to be sure, made passing reference to government's responsibility for the advancement of racial justice. But he resisted the liberal impulse to stress the "root causes" of crime and instead concentrated on its devastating consequences for the people and neighborhoods of black America. While mentioning external factors like unemployment and the reductions in military personnel, he mainly focused on the moral and spiritual dimensions of the dilemma, emphasizing that ultimate responsibility lay with individuals, especially parents, to live a moral life and instill a sense of morality in their children. Were Dr. King to reappear and speak in his own voice, the President speculated, he might say that he had "'fought to stop white people from being so filled with hate that they would wreak violence on black people. I did not fight for the right of black people to murder other black people with reckless abandonment.'"

Whether the Memphis speech will be followed by an ambitious legislative package is unclear; even more unclear is the degree to which any federal initiative can enhance the safety of urban streets. But the speech's significance rests elsewhere, primarily on the contribution it makes to what one hopes may become a healthy new candor in the discussion of racial matters in American political culture.

If this process is to be carried forward, however, a racial leadership is required that will bring to bear a different perspective not simply on the black condition but on the American condition as well. If it was essential for the President to demonstrate that the government is deeply concerned about a problem which many Americans would prefer to ignore, it is also necessary that those who speak for blacks understand the virtues of the American political system.

It is thus ironic that at a time when a potentially more productive atmosphere for the discussion of America's racial dilemma may be emerging, the National Association for the Advancement of Colored People (NAACP), the nation's oldest, largest, and most respected black civil-rights organization, has as its new executive director the Reverend Benjamin Chavis, whose career as an activist and writer personifies precisely the mindset that needs to be overcome.

FOUNDED in 1909, the NAACP was at the cutting edge of racial struggle throughout most of this century, and played a critical role in almost all the important legal cases which expanded the boundaries of equality. The 1960's brought something of a diminution of the organization's influence, as other civil-rights organizations—the Congress of Racial Equality, the Southern Christian Leadership Conference, the Student Non-Violent Coordinating Committee—rose to prominence through the use of civil-dis-

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obedience tactics and ultra-militant posturing. Yet while these other, more controversial, organizations soon grew enfeebled or succumbed altogether to factional disputes and irresponsible leaders, the NAACP emerged from the 1960's in comparatively healthy condition, due largely to a shrewd leadership under the late Roy Wilkins and a membership based firmly in the black middle class.

More recently, however, signs of serious decline had begun to appear. Internal sources were questioning official claims of 500,000 members and over 2,000 functioning chapters; more ominously, adjectives like "stuffy," "irrelevant," and "moribund" were creeping into press accounts. Speculation about the NAACP's troubles inevitably focused on the executive director, Benjamin Hooks, a Washington insider and, by today's standards, a civil-rights moderate, who kept the organization on a traditional course during his tenure (1977-92). There seemed to be a strong feeling that something else was needed: a more "dynamic" leadership and new strategies to advance racial change.

There is no question that Benjamin Chavis, the man appointed last year to succeed Hooks, brings to the organization a dramatically different personal background and leadership style from previous directors. At forty-five, he is the youngest executive director in NAACP history. He also comes to his post as one who served four years in a North Carolina prison over charges stemming from a 1971 civil-rights protest in Wilmington, North Carolina, involving allegations of riot and the firebombing of a grocery store. The accused, Chavis and nine others, were dubbed the "Wilmington Ten," and their convictions by a state jury were eventually overturned by a federal appeals court.

His biography suggests that Chavis is a person of considerable self-assurance and determination, not easily deterred by adversity. He used his prison years to earn a divinity degree from Duke University, as well as a doctorate from Howard. Upon release, he was hired by the United Church of Christ to work with its Commission on Racial Justice, a position which offered a useful pulpit for the expression of opinions on race relations, international affairs, and American society.

These views, voiced rather freely right up until his assumption of the NAACP post, bear close scrutiny; they reflect a vision of America that is far more pessimistic and hostile than that shared by earlier mainstream civil-rights leaders, and far more akin to the positions taken by extremist organizations of the 60's—the very positions that have done so much to polarize and cripple race relations in this country.

Thus, Chavis sees America as a thoroughly sick society whose redemption can be found only in the replacement of the present system by something drastically different; and since he has expressed great admiration for Angola under the Soviet-backed MPLA and Nicaragua under the Sandinistas, it may be inferred that he would like to import into the U.S. some variant of the state socialism adopted in those countries.

To the Chavis of the 1970's and 80's, moreover, the struggle for justice at home was inseparable from the struggle against global "imperialism," a word which he employed almost as often and as loosely as "racism." Addressing a 1980 "Stop the Klan" rally in North Carolina, Chavis declared that it was necessary to "unify with progressive forces all over the world and blot out capitalism and imperialism once and for all." He also attacked President Jimmy Carter's directive, issued in the wake of the Soviet invasion of Afghanistan, to establish Selective Service registration, and announced: "We ain't gonna fight no more wars for imperialism. . . . We're going to keep on marching until we tear this system down." At a time when the Soviets were occupying Afghanistan, threatening Poland, and systematically oppressing Jews and dissidents, Chavis described America as "the greatest violator of human rights in the world."

During this period, Chavis also lent his name, and often his energies, to several organizations which were closely identified with the American Communist party and in some cases functioned as reliable forums for the dissemination of the Soviet perspective on international politics. Most notable here was his participation in the formation of the United States Peace Council, the American affiliate of the Soviet-controlled World Peace Council, and his serving as co-chairman, along with Angela Davis (an openly declared leader of the American Communist party), of the National Alliance Against Racism and Political Repression.

SIGNIFICANTLY, no international issue, not even South African apartheid, seems to have affected Chavis as deeply as the Palestinian question. Chavis now claims to have an evenhanded stance on the Arab-Israeli conflict, and strongly denies harboring anti-Semitic prejudices. Yet a careful examination of his political history indicates that the first claim, at least, is patently untrue.

Throughout the 1980's, Chavis signed numerous protest statements, joined various committees, and spoke at numerous rallies—all with the purpose of attacking Israel, its leaders, and its policies. He signed a 1980 statement denouncing Israel for its deportation of West Bank Palestinian mayors; he served as honorary chairman of a committee to defend a Palestinian "political prisoner," the terrorist Ziad Abu Eain; he signed a 1982 statement calling on the United States to cut off all military aid to Israel because of its invasion of Lebanon, and another statement beseeching the Nobel Prize board to rescind its

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1978 award to Menachem Begin because of the Lebanon incursion; he joined his name to a 1988 petition urging Coretta Scott King to boycott an event at the Israeli embassy at which her late husband was to be honored; and he signed a 1986 statement urging President Reagan to revoke the diplomatic credentials of Major General Amos Yaron, military attaché to the Israeli embassy, for his role in the Lebanon invasion. In 1987, Chavis addressed the founding meeting of the Arab-American Anti-Discrimination Committee, where he seemed to equate the plight of South African blacks under apartheid with the condition of Palestinians by declaring that "the liberation of our people in Africa and the Middle East is inextricably linked."

Chavis's obsession with the Palestinian issue was vividly revealed again during Operation Desert Storm in 1991. Like most black clergy, Chavis was strongly opposed to that action, but he alone took the occasion to remind blacks that "undergirding the whole conflict in the Gulf is the unresolved issue of the rights of the Palestinian people."

While Chavis has bristled at charges of anti-Semitism, he has not been above issuing a gratuitous attack on "Zionism." He thus told a national conference of the Palestine Human Rights campaign that "Zionism has become racism in the Middle East, and the logical conclusion of racism is genocide, taking your land and your life." Similarly, this past October, urging a collection of youth gang leaders in Chicago to come together to forge an agreement to end inner-city violence, he likened the idea to the recent treaty between the PLO and "those who call themselves the Israelis." Chavis has never clarified his use of a vocabulary that is remarkably similar to that employed by people who have steadfastly refused to acknowledge the right of Israel to exist as a Jewish state.

ON THE domestic front, Chavis stands with those who see blacks as the inevitable victims of a pervasively racist social order. As a man consciously identified with the Left, Chavis sometimes adds an international or Marxian twist to his analysis of the American system, such as his judgment that multinational corporations cut jobs here in order to exploit the low-wage labor of the third world.

Usually, though, Chavis restricts his analysis to a single theme: American society is organized around the goal of preventing blacks from rising above their unequal state. He has echoed the increasingly popular cliché that African-Americans are more African than American, and has declared that blacks here are subject to treatment just as brutal as were blacks in apartheid South Africa.

During the 1980's, Chavis claimed that racism lay behind impeachment proceedings brought against several black judges, and called one impeached judge, Alcee Hastings, a "political dissident." Likewise, he described criminal indictments of black elected officials as "a deliberate and systematic scheme to prevent further political empowerment of the African-American community"; he singled out then-Mayor Marion Barry of Washington, D.C. (who had been arrested on drug charges) as a prime example of this insidious conspiracy. In a column dealing with violence against Asian-Americans, Chavis managed to evade entirely the very real problem of crime against Asian merchants in black inner-city neighborhoods, restricting his attention instead to a hardly typical case in which an Asian was murdered by two whites.

Perhaps the best known of Chavis's recent campaigns has been his crusade against "environmental racism," a phrase he coined in the early 1980's. According to this concept, black and other minority communities have been disproportionately targeted as the dumping grounds for toxic wastes and other environmental poisons. Chavis and his allies have threatened to create "Selmas of the 90's" by launching protest offensives against these pollution sites. They have further demanded that a great share of federal environmental grants be channeled to minority organizations.

Chavis has also demonstrated an unusual approach to electoral politics. Although an ardent supporter of Jesse Jackson's two presidential bids, Chavis is better known as a key organizer of the National Black Independent Political party, a group established in the early 80's to "advance self-determination for the black nation." He has voiced enthusiasm for a level of partisan political participation by black clergy which would elicit howls of condemnation if expressed by a figure from the religious Right. Chavis was also instrumental in organizing a peculiar mission in 1987: a delegation, led by him, of "reverse freedom riders" from the South to assist in the reelection campaign of Harold Washington, the black mayor of Chicago. To Chavis, the Chicago race differed hardly at all from a 1960's voting-rights drive in Alabama, despite the fact that Washington was an incumbent mayor of a large multiracial city where blacks had been an important part of the political structure for decades.

For whatever reason—Chavis's personal charm, a general unfamiliarity with his opinions, or perhaps the well-documented shift to the Left in political attitudes among American liberals—Chavis's radicalism did not impede his winning acceptance within the halls of white liberal power. Thus, despite the fact that Chavis had proposed placing "Wanted" posters in inner-city neighborhoods bearing the names and photographs of policemen accused of abuse, a few years ago New York Governor Mario Cuomo appointed him to a special task force on bias-related violence. More recently, he was named to the Clinton adminis-

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tration transition team on environmental policy, apparently at the personal behest of Vice President Al Gore, and he is known to boast of his access to the administration.

WHEN, shortly after his election as NAACP chief, Chavis was asked by an interviewer how he would convince whites to heed his message of racial change, he answered that he had "the capacity to talk to whites about racial justice . . . in a way that does not frighten them to death."

These were interesting words from a man who, not long before, had been full of talk about smashing imperialism, tearing down capitalism, and preventing the American government from committing racist genocide. Since assuming leadership of the country's most important black organization, Chavis has, it is true, followed a course of rhetorical prudence—while also saying or doing nothing which would indicate that he has altered or even adjusted his past convictions about the moral sickness of America and its democratic institutions.

To the contrary, Chavis has methodically instituted a series of organizational changes which suggest that he takes quite seriously the mission of transforming not just the NAACP but the whole strategy and direction of black politics.

He has, for example, begun to fill the NAACP staff with individuals who share his leftist political orientation. He hired Don Rojas, a former aide to Grenada's New Jewel Movement leader, Maurice Bishop, as director of communications, and named Lewis Myers, an attorney who once represented Louis Farrakhan, as deputy executive director. Among Myers's credentials is an article which appeared in the Nation of Islam's newspaper criticizing civil-rights organizations for seeking financial support from "the Zionist movement in America," a movement "working to defeat the progress of our people both here and abroad."

Chavis has announced plans to "internationalize" the NAACP by forming chapters in various Caribbean countries and in South Africa. He has also launched a major drive to enhance the NAACP's influence in the inner city, especially among young blacks. Thus far, his principal initiative on this front has been a campaign to encourage "peace treaties" between big-city youth gangs. A central part of this campaign was a highly publicized national summit meeting of gang leaders from around the country held in Kansas City, at which a package of demands was put forward, calling not only for the cessation of violence but also for the abolition of all anti-gang legislation and for aggressive federal action to root out police brutality.

Finally, and most importantly, Chavis has vigorously pushed an already existing project, the NAACP's "fair-share" campaign, to pressure large corporations to hire more blacks and otherwise invest in the black community. It goes without saying that companies that balk at meeting the fair-share demands face the prospect of unfavorable publicity, litigation, and boycotts.

CHAVIS'S attempt to move the NAACP, and, by extension, the entire civil-rights movement, on a bold new activist course has much about it that is eerily and disturbingly familiar. The proposal to internationalize the civil-rights organization is reminiscent of the "internationalist" perspective of the Black Panthers and other elements of the hard Left in the 60's, the result of which was to foster a disgraceful affinity with "revolutionary" third-world tyrants like Sékou Touré of Guinea. Similarly, Chavis's work with gang leaders has its precedent in the early anti-poverty program, when the Office of Economic Opportunity channeled community-action funds through the Blackstone Rangers and other urban gangs, a policy which contributed mightily to the discrediting of the anti-poverty effort. As for the fair-share drive, it brings to mind the early campaigns launched by Jesse Jackson's Operation PUSH, when companies were threatened with boycotts if they failed to hire enough blacks or purchase enough products from minority-owned subcontractors.

In sum, the true significance of Chavis's agenda is this: under his leadership, the NAACP, historically the most mainstream and biracial civil-rights organization, now espouses a position once held only by the most radical organizations and personalities within the black community.

Ratifying this new position is the alliance recently struck among the NAACP, the Congressional Black Caucus, and Louis Farrakhan. Although recent black history includes many instances of leadership summits comprised of militants, separatists, nationalists, and adherents of various Marxist creeds, never before has the NAACP been involved. Yet Chavis not only participated in the recent black summit, he actually engineered the unprecedented link with Farrakhan, black America's most notorious race demagogue and anti-Semite.

At the summit, Chavis publicly announced that those who had organized the events marking the 30th anniversary of the 1963 March on Washington, where Martin Luther King, Jr. delivered his "I Have a Dream" speech, were mistaken to have excluded Farrakhan from the roster of speakers. Adding that it had also been wrong for Farrakhan to have publicly criticized civil-rights leaders, he concluded that he nevertheless "love[d]" and "respect[ed]" the Nation of Islam leader.

It is inconceivable that Chavis, Congressman Kweisi Mfume (chairman of the Congressional Black Caucus), and the others responsible for orchestrating the rapprochement with Farrakhan did not realize that the move would be perceived

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as a deliberate insult by many Jews. Although Farrakhan's reputation as an anti-Semite derives mainly from his declaration that Judaism is a "gutter religion," this one quotation constitutes but a small part of the record. Farrakhan is, in fact, obsessed with Jews and their presumed influence over American society, to which he constantly refers in speeches and sermons in a way calculated to appeal to every feeling of anti-Jewish prejudice, dislike, and envy harbored by his predominantly middle-class audience. True to form, he dragged in the Jewish issue during the controversy over his exclusion from the March on Washington anniversary, claiming that "Jewish leaders have made me a litmus test for those who expect money from Jewish interests."

In this context, the partial justification put forward by several participants in the leadership meeting—that unity was important, given the programmatic goals Farrakhan and the others share—resonates as less than convincing. For Farrakhan has often been dismissive toward the traditional political goals of the civil-rights movement and the Congressional Black Caucus, and has even attacked one of their favorite programs, affirmative action, because the policy encourages dependency on white society.

Be that as it may, it would seem that racial or religious tolerance is no longer an absolute requirement for acceptance into the ranks of black leadership. This is a breathtaking shift in ethical standards for a movement whose presumed purpose is to fight all manifestations of bigotry and racism.

The coalition with Farrakhan is the clearest evidence that Chavis retains the radical convictions which inspired his political conduct in the not-so-distant past. It also suggests the answer to an inevitable question: at a time when Communism is dead, and Israel and the PLO are fervently engaged in peacemaking, does it make any difference that Benjamin Chavis championed Leninist political movements, or adopted a relentlessly anti-Israel stance during the 1980's?

One part of the answer is that to have sided with the international authoritarian Left most certainly does say something about Chavis's (or anyone's) judgment and even his sense of political morals, especially when there is no inkling that he has reassessed those previous allegiances. Many in the Communist world did, after all, undergo a genuine change of heart, and openly acknowledged a preference for democracy over state socialism. Chavis, for his part, gives no indication of having changed his mind.

A more important part of the answer, however, has to do not with what Chavis once thought of the New Jewel Movement or the Sandinistas, but what he thought, and now thinks, about America. About the past the record is clear: America in Chavis's view was a society in which racial (as well as class and gender) injustice was deliberately built into the basic economic and political institutions. Chavis, in fact, frequently considered the black plight dire enough to use the word "genocide" when setting forth his vision of America's racial future. And as for today, now that he has reached a position of power and respect in this supposedly oppressive society, he has proceeded to launch initiatives in line with his past analysis.

That these initiatives can help to work an improvement in our racial climate, or contribute to the advancement of America's most impoverished and crisis-ridden people, is, to say the least, highly unlikely. Far more likely is it that they will exacerbate divisions between the races, enhance the already inflamed sense of black victimization, and lead us backward from the hopeful new direction signaled by Bill Clinton in Memphis.

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Religion, Politics & the Clintons

Terry Eastland

FROM 1980 to 1992, any discussion of religion and politics necessarily focused on the rise of the religious Right and its support of the Republican Presidents who came to power during those years. Now that Bill Clinton, a Democrat, is President, the religious Right no longer enjoys access to the White House. This is not to say, however, that Clinton is indifferent to the idea of soliciting support from religious groups. In fact, quite the opposite is true. What has changed is the nature of the religious alliance Clinton is forging.

While Clinton has quietly been making friends with some evangelical pastors, it is the religious Left, as it might be called for reasons of symmetry, that is the favored religious constituency of this administration. As early as last March, Clinton met with a group of liberal-to-moderate clerics and promised to stay in touch. He has kept this promise, and he has been rewarded for it: one United Methodist leader was so enthusiastic about Clinton's budget proposal that he called it a "tiny down payment toward the tithe of justice and love." Clinton has naturally appreciated such support: "I've been so criticized by the religious Right community, it's good to have religious people who understand what I'm trying to do."

Clinton has also done something neither of his Republican predecessors could have done without enduring severe criticism: he has invited people with strong religious views to become politically involved. In a meeting on August 30 with religious leaders, Clinton touted the thoughtful new book by Stephen L. Carter of the Yale Law School, *The Culture of Disbelief: How American Law and Politics Trivialize Religious Devotion.** What apparently impressed Clinton was Carter's argument that our society too often treats people of religious conviction as oddities (or worse) in political life. Clinton declared that such people should not have to shed their religious beliefs before entering the public square.

Plainly, the story line on religion and politics has changed from the Reagan-Bush years to the Clinton era. But to understand this change and to assess where the battles will be fought in the years ahead, one must go beyond the headlines and take stock of several recent legal and political developments.

DURING the meeting at which Clinton praised Stephen Carter's book, he also reiterated his support of the Religious Freedom Restoration Act (RFRA)—"a very important issue to me, personally"—which was finally enacted in November.

RFRA is a response to the Supreme Court's 1990 decision in *Employment Division* v. *Smith*, the so-called Oregon peyote case. Alfred Smith and Galen Black were fired from their jobs with a private drug-rehabilitation organization when it was learned that they had ingested peyote during a ceremony of the Native American Church, whose rituals include peyote use. When they applied to the state for unemployment compensation, they were judged ineligible for benefits because they had been fired for work-related "misconduct"—i.e., their use of a controlled substance that, by state law, it was a felony to possess. Smith and Black challenged the state's decision on the ground that it violated the First Amendment, which forbids government from prohibiting the free exercise of religion. They won in the Oregon Supreme Court but lost 6-3 in the U.S. Supreme Court, with Justice Antonin Scalia writing for five of the six: "[A]n individual's religious beliefs [do not] excuse him from compliance with an otherwise valid law prohibiting conduct that the state is free to regulate."

Scalia's opinion was immediately denounced by almost everyone at every position along the religious spectrum. An effort to get the Court to reconsider its decision failed, whereupon the diverse opponents of *Smith* joined in the project to enact legislation aimed at changing the legal environment wrought by that decision. RFRA calls on courts to do what the Supreme Court refused to do, and said should not be done, in *Smith*—namely, employ an analysis under which plaintiffs may be able to win exemptions for religiously motivated conduct from otherwise valid civil law.

Now, *Smith* deserves criticism on several grounds, although it arguably can be squared

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with the text and history of the First Amendment. My concern here, however, is not to debate the merits of *Smith* or RFRA, but to observe the shift in our politics that is implied by the almost unanimously negative reaction to *Smith* and the correlative support of RFRA. Thus, no fewer than 68 religious and civil-liberties groups joined in a coalition supporting the legislation. These included Concerned Women of America (CWA), home-schooling advocates, strict church-state separationists such as People for the American Way (PAW) and the American Civil Liberties Union (ACLU), the National Council of Churches, the National Association of Evangelicals, the U.S. Catholic bishops, and major Jewish organizations. If there has ever been another cause that united such an unlikely bunch, it is hard to recall it.

IT SEEMS easy enough to explain why secular organizations like the ACLU and PAW, among others, battled against *Smith* and for RFRA. For one thing, they have long endorsed the model of judicial review that in their view *Smith* repudiates—that by which courts exist to enforce individual rights against potentially tyrannical majorities. No doubt it helped, too, that the *Smith* plaintiffs represented not the religious Right, which especially PAW and the ACLU have tilted against in court and elsewhere, but one of the "outsider" precincts regarded by secularists as a benign force in the polity (the Native American Church).

Finally, it may well be that *Smith* was for many secular liberals an affront to what Gerard Bradley of the Notre Dame Law School calls "liberal political morality." If the plaintiff in a case like *Smith* need not claim membership in a worshiping body—if he can appear in court simply having invented some noncognitive "religion," just for himself—he might be able to protect, not religious liberty as it has historically been understood, but rather an autonomous style of life. With this in mind, Bradley characterizes the conduct-exemption doctrine rejected in *Smith* and codified in RFRA as "an efficient engine for the maintenance of the neutral secular state, the playpen of the autonomous self." This engine could, adds Bradley, "rid the polity of any trace of the authority of religion, and of the moral tradition."

One might think that religious conservatives would have been keenly interested in opposing such an effort. Yet the religious Right was firmly united against *Smith*, taking it as an assault on (in the words of Michael Farris, former general counsel of CWA, and the unsuccessful Republican candidate for lieutenant governor of Virginia last year) "a very fundamental religious liberty for everyone in America." The question is why someone of Farris's religious and political commitments would understand *Smith* in this way. And the most plausible answer is that the religious Right now sees the state as a genuine threat to the ability of religious conservatives to exercise their faith. This is a major change. Before the second half of this century, religious conservatives did not typically view the state as a threat. On the contrary, in a nation where there was, as numerous writers have observed, a de-facto Protestant establishment, the beliefs and values of religious (meaning Protestant) people received ample reinforcement from the law and were respected in public institutions.

Today, however, rhetoric in fund-raising appeals notwithstanding, the most thoughtful on the religious Right know that the de-facto Protestant establishment is a thing of the past. Governments now representing a much more religiously and morally (and demographically) diverse people may enact or enforce rules that are religiously neutral but which burden the free exercise of religion by adherents of traditional religions. Hence the conduct-exemption doctrine becomes a badly needed shelter for religious conservatives.

That the doctrine provides shelter equally to all, including those who believe in religions on the basis of which they might act in ways the conservative deems immoral—as indeed happened in the Oregon peyote case—no longer bothers him as much as it used to. Nor is the religious conservative of today as disturbed as he once was by the fact that the conduct-exemption doctrine might work to disable him and like-minded allies from passing legislation—again, even such drug laws as Oregon's—that might protect what he deems to be in the public interest.

TO GRASP more fully the significance of this change in our politics, consider that for years the "line" on the religious Right has been that it wants to recreate the de-facto Protestant establishment. One principal means toward this end supposedly involved "getting prayer back in the public schools." Now, the Supreme Court decision that took state-sponsored prayer out of the public schools was *Engel* v. *Vitale* (1962). Yet even during the Reagan years, when the religious Right had in office its (very much) preferred President, the Justice Department never asked the Court to overrule *Engel* (or the related cases). Nor would the constitutional amendment on school prayer endorsed by Reagan in the 1980's have erased *Engel*, either.

The politics of school prayer finally issued in a truce, codified in the 1984 Equal Access Act, under which public schools in receipt of federal funds, if they open their doors to student-led secular groups, such as a Key Club, must provide the same access to school facilities for student-led religious groups. This is about as much group religious activity as any public school is going to be able to have on its premises during the school day, and there seems little interest anywhere in refighting the lost battle of *Engel*. The litigation over prayers at graduation ceremonies, meanwhile, has supplied only footnotes to *Engel*.

There is a case that brings all these develop-

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ments into sharp focus. It is the *Mozert* case from Hawkins County, Tennessee, thoroughly reported and cogently assessed by Stephen Bates in his new book, *Battleground: One Mother's Crusade, the Religious Right, and the Struggle for Control of Our Classrooms.**

The Christian-fundamentalist mother in the subtitle, having detected the influence in her children's textbooks of ideas at odds with her faith, complained to the Hawkins school board. While initially trying to make the board ban the books outright—thereby universalizing her norms, as the old script on religion and politics would have it—she and her fellow protesters eventually settled on demanding the right to take their children out of reading class and have them given alternative readers. The board at first was prepared to reach an accommodation, but then changed its mind and took the absolutist position that the children must read the textbooks their parents deemed offensive. The mother and her allies then sued in federal court, arguing for the accommodation on grounds of the free exercise of religion. According to Michael Farris, their lawyer at the time, the issue raised by the case was similar to the one raised by school prayer: for just as Jewish parents do not want the public schools to require their children to say Protestant prayers, neither do Christian parents want the public schools to force their children to read books that ridicule or undermine their faith and values. The *Mozert* plaintiffs won in district court, but lost in the U.S. Court of Appeals for the Sixth Circuit, with the Supreme Court denying review in 1988.

Despite this outcome, there is evidence in the history of the case showing widespread disagreement with the doctrine that would be elaborated a few years later in *Smith*. Thus, Bates tells the story of how, as *Mozert* moved to the appellate stage, the school board's lawyer, Timothy Dyk, convened a meeting in Washington of religious and secular groups he thought would be willing to support his clients against the Hawkins County protesters. Dyk saw the case as about the survival of public education: if the protesters could be exempted from what the public authorities required all students to read, then others would follow suit, making public education impossible. At the meeting, Dyk proposed advancing more or less the same free-exercise doctrine the Supreme Court would later embrace in *Smith*. But many of the groups present, reports Bates, feared the application of the doctrine in other areas. Notably, one group that was willing to agree with Dyk's approach was PAW. But several years later, PAW joined the pro-RFRA coalition. Thus did both the religious Right and the secular Left finally agree. On policy grounds, if not on constitutional grounds, we are all exemptionists now.

Mozert gets only a footnote in Stephen Carter's book, but by implication Carter, a *Smith* opponent and RFRA supporter, is on the side of the *Mozert* plaintiffs. Indeed, his book is in part a plea for "a broader understanding of religious freedom and, in consequence, a wider set of religious exemptions from laws of general application."

One of the strengths of *The Culture of Disbelief* is Carter's frank acknowledgment that the sheer size and reach of the state today mean that religious groups are increasingly likely to become entangled in it, with more possibilities for encountering rules that, while neutral, burden the exercise of faith. This is why public education receives extended treatment from Carter, who recognizes that many of the parental objections to public-school curricula concern their most deeply held beliefs: "[M]illions of parents are not really interested in having their tax dollars spent for education in accordance with the views of experts whose knowledge the parents may find inaccessible and threatening and who in any case often heap abuse on the opinions of parents themselves."

Carter dismisses those who see parents like the *Mozert* plaintiffs in Tennessee as merely attempting to "censor" curriculum or even to establish their religion in the public schools. He is aware that many parents are simply trying to hold fast to their own faith and beliefs against state-supported assault—nothing more.

Unable to protect themselves against such an assault, the *Mozert* plaintiffs left the public schools for Christian schools. Bates argues that those who truly value diversity will see the importance of making the kind of accommodation that might have kept the *Mozert* plaintiffs in the Hawkins County public schools. This, he adds, could also slow the burgeoning movement for choice in education under which states would provide funds to parents who could use them at any school, including a religious one.

On the other hand, as Carter writes, one of the strongest arguments for public assistance for private-school tuition is that "only in that way can parents choose for themselves the education their children should have, rather than having some other entity, one over which they may have little control, make the choice for them."

Carter, previously opposed to school-choice systems in which vouchers are given to parents of children in private schools (he and his wife are such parents), has rethought his position, and comes close to changing his mind: "[A] program of vouchers to allow the purchase of private education can be seen as a way of extending the principle of government-funded choice—a staple of the modern welfare state—into another field of civic endeavor." Carter does not finally embrace vouchers, but he insists that if vouchers are established, "parents who choose to send their children to religious schools should be eligible alongside parents who send their children elsewhere."

* Poseidon Press, 365 pp., $24.00.

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Here—over the issue of school choice and not over the issue of school prayer—is where the religious Right will do major battle in the years ahead. The Right will have allies, among them people simply dissatisfied with the performance of the public schools. It will also find itself in unusual policy agreement with multiculturalists who want schools that teach their curricula.

However, while most of us are exemptionists now, not all exemptionists are ready to embrace full-blown school choice. Bill Clinton, for example, strongly opposed the California school-choice initiative this year. Probably most of the groups on the religious Left are also opposed to school-choice proposals. Like People for the American Way, they remain steadfast in their faith in the public schools.

Clinton may have the chance, through judicial selection, to limit choice to public schools by picking judges who believe that any plan which also includes religious schools violates the First Amendment. Already, with the replacement of Justice Byron White by Justice Ruth Bader Ginsburg, there is one less sure vote for such plans, and no more than five, if that many, on the present Court. There is also one less sure vote to sustain the Court's 1986 decision in *Bowers* v. *Hardwick*, which declined to extend the constitutional right of privacy to include consensual homosexual activity.

With these questions seemingly up for grabs, they stand to become more prominent in the confirmation process than abortion, especially since the Court in *Planned Parenthood* v. *Casey* (1992)—with three Reagan-Bush appointees writing the key opinion—not only declined an invitation to overrule *Roe* v. *Wade* but also endorsed its "essential holding." This is not to say that abortion will not be a contested issue between the religious Right and the Clinton administration, or in the states. But those battles will be mainly legislative and will concern regulation of the Court-created right to abortion. And, of course, if Clinton presses for funding of abortion in his health-care legislation, a struggle will ensue.

IN THE new story of religion and politics, Bill Clinton, and after him his wife, Hillary Rodham Clinton, will prove the most interesting figures. In his August 30 remarks to religious leaders, Clinton, reiterating a theme of Carter's book, said that freedom of religion should not mean "freedom from religion," or that "those of us who live by faith shouldn't frankly admit that we are animated by that faith, that we try to live by it—and that it affects what we feel, what we think, and what we do." Therein Clinton distinguished himself from secular liberals who oppose the use of religious language and argument in the public sphere.

Yet against what both Stephen Carter and Stephen Bates urge political figures to do, Clinton has not engaged the policy arguments of those with whom he disagrees. Also, he has named to his administration individuals like Surgeon General Joycelyn Elders who not only dismiss religious conservatives but cast aspersions upon them. And this past fall, Virginia Democrats, hearing no public rebuke from the President, demonized the Republican ticket as "a tool of the religious Right." Meanwhile, Clinton has opened a line of communication with evangelical ministers of unfixed to leftward-leaning views (contrary to what many people think, such evangelicals do exist). The strategy appears similar to one undertaken by the Reagan administration, which disagreed sharply with traditional civil-rights leaders while cultivating support from blacks and Hispanics outside those circles.

As for his own policies, Clinton has yet to employ religious arguments on their behalf, although one should not discount the possibility. Vice President Al Gore—like Clinton, a (liberal) Southern Baptist—has at times rested his environmental views on the Bible, and Phil Lader, deputy director of the Office of Management and Budget, has described the administration's national-service plan as drawing upon the Judeo-Christian tradition.

What Clinton himself has done, so far, is discuss the general direction of his presidency in religious terms. Indeed, it is no exaggeration to say that he, and his wife, see the presidency as a religious mission. Clinton told the religious leaders on August 30 that he was trying hard "to create a new sense of common purpose." So, too, Mrs. Clinton, a Methodist of social-gospel instincts, has talked of "a crisis of meaning" and "the nation's spiritual vacuum," and she has called for nothing less than "remolding society by redefining what it means to be a human being in the 20th century." No wonder spokesmen for liberal churches regard Clinton as a veritable spiritual leader. On most issues, they and he (and she) are in basic agreement.

Clinton's conception of the relation between religion and politics is perhaps best suggested in a sentence from his acceptance speech at the Democratic national convention. Scripture says, he declared there, that "our eyes have not yet seen, nor our ears heard, what we can build." What Scripture says, of course, is not what "we" but God can build. Ronald Reagan would have been instantly corrected for this rewriting, even secularizing, of Scripture; but not Clinton. Nor has anyone yet accused Clinton of trying to establish religion—the religion of the religious Left. For progressive politics and the religious Left are basically pursuing the same ends, and the leader in whom the two are joined will not be criticized by his co-religionists. This, too, is part of the new story of religion and politics in the age of Clinton—a story whose denouement is yet to come.

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Jerusalem—What Next?

Edward Norden

THE *midrehov* is the jumping pedestrian mall in the Jewish—the secular-Jewish—part of Jerusalem. One Friday morning at the end of October 1993, the eighty-two-year-old Teddy Kollek, during whose terms of office as Jerusalem's mayor the *midrehov* and much else was built, sat outside the Café Atara gnawing his strudel and fielding more complaints than expressions of homage.

"Teddy, the city's filthy," the old gent heard one of the citizens and possible voters in the crowd jostling around his table yell. "Teddy, the hoodlums make noise all night in my neighborhood and don't let me sleep," a woman reported. "Teddy Kollek!" an American tourist cried. "My wife has to have your autograph!"

The mayor juggled his cigar and fork and pen and reading glasses and obliged. He assured the man who had complained about the filth that the problem was only the campaign posters and fliers pasted and strewn everywhere, to be cleaned up as soon as this municipal election was over, and he made a note to himself on an index card to look into the noise in the sleep-deprived woman's neighborhood.

But forget the racket *there*: the debates going on in the crowd around him were not exactly modulated. "Teddy's selling out to the Arabs!" shouted one heckler. "Nonsense! It's [his Likud challenger Ehud] Olmert who's selling out to the ultra-Orthodox!" came the response. Kollek flared: "Will you all shut up!" And then someone really lit his fuse: "You wanted to retire and they wouldn't let you! After everything you've accomplished! Your Honor, with all due respect, it's time you relaxed! A man your age! Everybody knows that if you win you don't intend to serve your term!"

Kollek exploded: "No one made me run! I make my own decisions! And I'm going to serve a full term! You can bet on it!" Much of the crowd seemed to forgive—no, to enjoy—his choler. "That's right!" a man shouted. "You should live to 120! I'm Likud and you're Labor, but I've always voted for you and I'm going to vote for you again!" To which Kollek muttered: "We'll see if you do." The noise was rising, feeding on itself, people were tugging at his sleeve and talking all at once. "Back off!" he shouted. Finally Kollek's aide settled the bill and the mayor in his New Balance running shoes pushed his way to the car, limping and shouting back at the cheering, booing, laughing crowd.

Not long after Kollek left, Ehud Olmert materialized and began working the *midrehov*. He was preceded by a Likud Member of Knesset, Benjamin ("Benny") Begin, son of Menachem, calling out, "All right everybody! Come meet your next mayor!" The beaming Olmert would not leave a hand unshaken or a baby unkissed.

About half Kollek's age, Olmert had joined Yitzhak Shamir in voting against the elder Begin's 1979 peace treaty with Egypt, and this past September had loyally sided with almost everyone in his party against the Rabin-Arafat handshake. Yet as viewers of *Nightline* remember, Olmert is no fire-eating right-winger. This native-born Israeli is as breezy as a deal-maker with a law degree in a free country must be. Despite that pair of historic votes, most of the Laborites his age who run the media believe that in his heart Olmert agrees with them about the peace process.

The crowd he was now working seemed to hold nothing against him. Unlike for the beloved Kollek, there were no catcalls, only cheers. Olmert was slapped on the back in a shop where you can buy religious junk. He pressed flesh at the Atara. His progress down the *midrehov* built by Teddy was triumphant.

SO MUCH had been done and so many good things built by Kollek in his more than quarter of a century in office! How *was* it, one wondered, that the Jews of this notoriously hard, intolerant, ungrateful town, this town of gloomy memories and ethnic prides and meannesses and messianic reveries, had over and over again elected as their mayor a liberal, a dove, a pragmatist, an optimistic doer, "a stainless idealist" in his friend Saul Bellow's words?

There was no lack of explanations for the fact

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that Kollek had been unbeatable in Jerusalem for 28 years. For one thing, although the Zionism he learned as a youngster in Vienna had been larded with socialism, and although the first thing he and his wife did when they got to the Land of Israel in 1935 was to help found a kibbutz, for a long time Kollek's connections with the Labor party had not been too close. In fact, he was elected to his first term in city hall—in 1965—as the candidate of Rafi, a renegade grouping of then-young men like Moshe Dayan and Shimon Peres who had followed their teacher and master, David Ben-Gurion, out of Labor and into what looked like the wilderness.

Some of the Rafi-ites went back to Labor on their own terms after the Six-Day War, and Kollek himself ran twice as an incumbent on the Labor ticket. But in 1978, with Begin the Prime Minister and Jerusalem a Begin town, Kollek cut himself loose. He and his slate ran alone, winning bigger than ever.

In other words, he had the option of playing the independent. Nor was he hurt by his style and fabled temper. He was known for leaping out of his car and dressing down tourists who picked flowers on public property. He dozed on the podium during speeches by other notables, calling it a *mitzvah*, a religious duty. In his seventies he pushed and chased teenage punks organized by Likud who tried to block his way in Kiryat Hayovel, one of the poorer, rougher neighborhoods. The dovish Kollek looked and behaved more like a bear or a bull, and this helped with those voters who value a man, one whom you cross at your peril. It explains in part why the stereotypical Jerusalem cabbie, a Likudnik whose parents were born in Morocco or Kurdistan, would have a Begin decal stuck on one side of the windshield of his Mercedes, and a Teddy decal on the other.

Yet if Kollek had been only his own man and more than a bit of a beast, that still would not have been enough to make him apparently mayor-for-life, or earn him two and sometimes three times as many votes as the sacrificial lambs Likud used to run against him. Even his habit of showing up anywhere at any hour of the day or night, of pitching in during fires and blizzards like Fiorello La Guardia, would not have ingratiated him sufficiently in a city as hard and earthly as this one. He still needed to be seen to get things done for all sorts of unsentimental people.

And indeed, his era, his reign, coincided with the greatest boom in Jerusalem in a couple of millennia. When Teddy took over in 1965, the two halves of the city, Jewish and Arab, Israeli and Jordanian, were breathing on one lung apiece. West Jerusalem was a dead end, three-quarters ringed by barbed wire and minefields. It was a half-town immortalized by Amos Oz in his novel, *My Michael*—spectral, truncated, shabby, where thin cats prowled the alleys and bored Jewish housewives dreamed of Arab shepherds. When the sun went down and the moon rose, both sides of town were as quiet as a cemetery—no, quieter, for ears were pricked for gunshots. It was a good place for the kind of people who had collected in Jerusalem for centuries, which is to say for poets, beggars, madmen, losers. Ordinary citizens had little to do. Therefore many packed up and moved, while the newly-arrived Afro-Asian immigrants fretted and festered in brand-new instant slums like Kiryat Hayovel.

Within two years of Kollek's inauguration, Jerusalem's cats were sleek. Was the change attributable to him, or did he merely happen to be in office when the Israeli army conquered the eastern sector of Jerusalem in the Six-Day War? Whether Teddy was mayor by chance or design in 1967, the fact was that Jerusalemites linked him with the disappearance of the barbed wire and the galvanizing and fattening-up and mundane improvement of their city.

In truth the mayor had more than a little to do with this prosperity. As hard as Kollek found it to suffer his fellow Israelis, he was angelic with foreigners. To watch him buttering up a prospective American or European donor was to learn the meaning of a charm offensive. His Rolodex was something else: Isaac Stern and Marc Chagall, Graham Greene and Liv Ullmann, Willy Brandt and Ed Koch, presidents and prime ministers, and many, many millionaires, none very likely to depart his city without donating art to the Israel Museum, which Kollek founded, or money to the Jerusalem Foundation, which he chaired. He had, since the Six-Day War, squeezed a third of a billion dollars out of his wealthier friends abroad—for playgrounds, clinics, synagogue and church renovations, clubhouses for immigrants and Arabs, parks, concerts, seminars where Jews and Arabs talked about peaceful coexistence. All this churned up jobs for the locals as well.

But Kollek was not just a *Bürgermeister* in the Orient, looking out for the welfare of his constituents. He was also a missionary, lobbying nonstop to persuade the world that sovereignty in the whole of Jerusalem was rightly and not just temporarily Israel's. The world came to him, he frequently went out to it, and he never tired of explaining that Jerusalem, while important to Christians and Muslims, was the heart and soul of the Jewish people. Only they had remembered it every day for 2,000 years. Besides, Israel was scrupulously keeping the Holy Places accessible to everyone, unlike the Jordanians who had prevented Jews from coming to the Western Wall. The only right and practical answer to the not-quite-closed question of Jerusalem was Israeli sovereignty

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coupled with a measure of neighborhood autonomy for the Palestinians.

IT SEEMED over the years that the facts on the ground—tolerance was the byword of Kollek's rule, and the city was fairly peaceful—were influencing people in many places. Then came the *intifada*, which began in 1987 and soon infected the city. Arabs stabbed Jews, Jews retaliated. Many Jews were afraid to cross into the Old City, and some Tel Avivians were afraid to let their kids visit any part of the capital on school outings. "Coexistence is in ruins," Kollek said, only to deny when quoted that he had said it. Harder leftists, who disdained Kollek's attempts to accommodate the ultra-Orthodox, and disapproved of his Zionism, smiled to watch his life's project seemingly going down the drain; others pitied him as a tragic figure. The Right sensed an era winding up.

In the 1989 election, although he crushed his opponent for the mayoralty, Kollek's list was denied a majority on the council. This was due to an increase in votes for militantly secular and ultra-Orthodox parties among the Jews, and to the lowest turnout ever by the Palestinians, the latter a result of the *intifada*. Kollek soldiered on, falling ill and recovering, making a coalition with the ultra-Orthodox "black hats," insisting truthfully that Jerusalem remained safer for tourists than Manhattan.

Nevertheless, he had said repeatedly in the last few years that he was tired and was going to retire. He himself, he told one of the Hebrew papers, would not vote in 1993 for a man his age. But something, if not someone, then persuaded him otherwise. In a letter to the *New York Times* dated June 15, 1993, he explained: "Only the conviction that a Likud-party victory [in the upcoming municipal election] would bring irreparable harm to Jerusalem . . . and possibly to the peace process, made me decide" to run again. And in a letter to his many friends abroad, dated on the morrow of the Rabin-Arafat handshake, he wrote: "My decision . . . was not an easy one. . . . But there were considerations too important to ignore"—namely, that in the next few years, more than ever before, the city would be "under the microscope of the world." Thus his name led the Labor/One Jerusalem list yet again.

The campaign, even for Israel, was remarkably unsportsmanlike. Kollek's One Jerusalem went negative immediately. Olmert, proclaimed its posters and fliers uglifying the city, was "a liar . . . a disgrace." The tone went downhill from there.

Olmert's handlers advised him not to attack Teddy frontally, and he never did. If "We Love You Teddy" was the slogan of Labor/One Jerusalem, "The Time Has Come" was the slogan of Likud's United Jerusalem slate, meaning that Kollek had done great things but now was really too old. The low blows at the hero were indirect, the main idea being that Kollek was a pawn in the hands of dovish ideologues and Labor hacks who had forced him to run and who, if he did win, planned to usher him into retirement and carry out their own agenda of redividing the city in the name of a fraudulent peace.

Fair or unfair, these hits damaged Kollek. Nor had Prime Minister Yitzhak Rabin done him any good by suggesting that the local elections around the country, and especially this one in Jerusalem, should be considered "referendums" on the handshake. Rabin had promised in the 1992 national elections never to deal with the PLO, and now would not hear of an *actual* referendum, claiming that the squeaker of a vote he had won in the Knesset was enough. Moreover, his ploy was risky, especially in the capital. For Teddy's long reign notwithstanding, Jerusalem remained a hawkish town.

MUCH of the real campaign drama was played out not on the *midrehov*, but in rabbinical backrooms in Mea Shearim and in the eastern, Arab, sector of the city.

Traditionally, the ultra-Orthodox *haredim* (literally, "God-fearers") had run their own candidates for both mayor and the 31-person council. Their mayoralty candidate had never made it, but with each campaign they were able to elect more councilors, whom Kollek had seen politic to fold into his coalition. With Teddy in a real fight now, however, Agudat Yisrael-Degel Hatorah, the combined *haredi* party, was in a position to decide his fate. If its candidate, the young and skilled Meir Porush, dropped out, and if the aged Gerer *rebbe* then gave the word, and if neither the secular Jews nor the Palestinians came to Kollek's rescue, Ehud Olmert would be the next mayor of Jerusalem.

Likud's United Jerusalem was therefore frantically wooing Porush, and Labor's One Jerusalem was just as frantically trying to dissuade him. So concerned was the national Labor party that both Rabin and Peres found the time to intervene.

Not only the picturesque Mea Shearim quarter, dating from the last century, but also the newer *haredi* neighborhoods around it constitute strongholds of voters more or less obedient to their rabbis' wishes. The *haredim*, who vote in droves, were perhaps the heaviest cross Kollek had had to bear. He had tried over the years to meet their politician-rabbis more than halfway, he had made coalitions with them even when the numbers did not require it, he had spent money he did not have for bypass roads so that Sabbath traffic would not be stoned—all with little effect. He was probably more unpopular today in these basically anti-Zionist neighborhoods than in the Arab ones. "Kollek Bad for the Jews!" stated a

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poster in Mea Shearim. "Olmert Good for the Jews!"

One could understand the *haredim*. They had been obeying the biblical injunction to be fruitful and multiply, with the result that now they had to compete with secular Israelis for building permits and school funds, while the mayor with his everlasting prattle about tolerance and pluralism built cinemathèques that were open on the Sabbath, handed out pub licenses, and okayed the construction of a Mormon university. He seemed determined to convert Jerusalem into a poor imitation of Tel Aviv, itself a poor imitation of L.A. Well, the *haredim*, who had been in the city before the secular Zionists, were not reconciling themselves, not to the man and not to his plans. Even while the last-minute dealing went on, the posters had appeared: "It's a *Mitzvah* to Stop Kollek! Don't Let the Arabs Have the Deciding Vote!"

THE *haredi* neighborhoods press right up against the west side of the new Highway 1. On the east side the spices and music are different, the religion and nationalism are different. More than one in four Jerusalemites is Arab, and more than a quarter-century after Moshe Dayan had the anti-sniper walls removed and the city was declared united, the Arabs have not reconciled themselves. On the contrary. More than ever they feel occupied, besieged, and denied in what they consider their own city, though now maybe, they think, just maybe, their dawn is finally breaking.

To be sure, Palestinian euphoria attending the handshake has faded. Everyone on this side of town knows that the Jews are not about to get out of any part of Jerusalem any time soon. The dawn is not going to break by itself. Meanwhile, a sort of life goes on, a blend of suspense and ennui. A general strike is held on the ninth of every month to commemorate the day when the *intifada* started in 1987 and to show that, handshake or no handshake, it is not over. There are also Hamas strikes on the seventeenth of the month and Islamic Jihad strikes on the sixth, the prudent merchant being well-advised to observe them all.

It was precisely Israel's annexation of East Jerusalem, and the relatively mild civilian regime of Teddy Kollek, which bred the embryonic institutions of Palestinian statehood here. If the Arabs in this part of the city suffered, they did so in style. Without having to take Israeli citizenship, and retaining their Jordanian passports, they enjoyed Israeli social security and medical insurance. They were spared the aggravation of having to get a permit from the military government to cross the Jordan River for business or pleasure. No wonder East Jerusalem lured migrants from Hebron and other West Bank towns. In fact, notwithstanding the scarcity of building permits, the number of Arabs in the enlarged city had increased faster since the Six-Day War than the number of Jews, giving Israeli geopoliticians the feeling of running on a treadmill. The birth rate here was almost up to that of Mea Shearim.

As the municipal election of 1993 loomed, it was hard to find anyone in East Jerusalem, young or old, who professed to care much or intended to vote. For one thing, Arafat had let it be known that Arabs should not participate, the rationale being, as always, that participation meant recognition of Jewish sovereignty. Palestinians have learned under occupation, however, to think and act for themselves, so even without faxes from the chairman they probably would have chosen to vote by not voting.

Over the years, Palestinian opinion on Kollek had been divided. Few if any East Jerusalemites considered him their mayor. Yet some appreciated, even liked, the man, not because his foundation might build a clinic for them here or a library there, but because he spared their feelings whenever he could and because a less tactful Jew in city hall might have rendered life even drearier. Your passivity, Kollek used to say to the Arabs in his bailiwick, harms your interests. If you won't actually run for municipal office, at least help yourselves by voting for me. Some Palestinians had formerly consented. Added to the Arab garbagemen, clerks, social workers, etc. who drew a salary from the municipality, enough of them might defy the PLO and go to the polls to give Labor/One Jerusalem its majority on the city council.

As against those who saw Kollek in a relatively good light, however, there were the sworn nationalists and certain of the Muslim and Christian faithful who, like their leftist Israeli friends, intensely disliked the mayor. These parties hated Teddy for putting a humane face on the rapid, dismaying, perhaps irreversible Judaization of the whole city.

Kollek in this light was not a dove or bull or bear but a fox, like so many Labor Zionists before him. Was it not under him that a massive pincer of new Jewish neighborhoods encroached across the Green Line? Was it not under Kollek, albeit over his protests and crocodile tears, that Ariel Sharon made a home in the Muslim Quarter of the Old City? Was it not under the liberal, tolerant, understanding Teddy that building permits for Palestinians were granted once in a blue moon, while so-called "illegal" Palestinian structures were regularly demolished? Kollek was a Zionist. That said it all. The prevailing opinion among the Arabs of the city in October 1993 was that the aging Kollek and the young Olmert were, as a Palestinian guide on the Temple Mount put it to a visitor, "two sides of the same coin."

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THE wheeling and dealing in Mea Shearim climaxed unsurprisingly with Meir Porush withdrawing his candidacy in return for a bundle of favors from Olmert. The word had gone out to the *haredim.* Now Faisal Husseini, Arafat's man in East Jerusalem, told his compatriots to vote, the necessary thing being to stop Likud from taking over the city. Shimon Peres spent election day, November 2, which is also the date of the publication of the Balfour Declaration in 1917, closeted with King Hussein in his palace in Amman. A ride around Jerusalem made the projections on Israel TV that evening superfluous.

The action at polling stations in secular Jewish neighborhoods was light; in the *haredi* neighborhoods it boomed; and in East Jerusalem it was, until the sun went down, nonexistent. Even under cover of darkness and with Husseini's statement, One Jerusalem was able to get only 7 percent of enfranchised Palestinians to vote (double the percentage, it must be said, of the Arab turnout in 1989). But if East Jerusalem sat out this exercise in democracy, Mea Shearim appeared to think of nothing else. The yeshiva boys got the day off; those with drivers' licenses ferried the old and the bedridden to the polls so they could sweep Olmert in and Teddy out. Meanwhile, all day, right up to the closing of the polls, the One Jerusalem sound trucks laid their pleas on the secular neighborhoods. "Jerusalemites, don't let the *haredim* take over!" In vain.

It was agreed in post-mortems that Labor and Kollek had made every possible mistake, his worst being to run again. *Ha'aretz,* the liberal paper, was for giving Olmert a chance. It asked him to be firm with the *haredim* and sensitive with the Arabs. The hard-Left, militantly secular *Kol Ha'ir* painted a nightmare of street closings, *haredi* takeovers, the accelerated flight of secular Israelis to the coastal plain, Arab riots when Olmert would try to sabotage the peace process with new Jewish building in East Jerusalem. A local Fatah spokesman was quoted as saying that if the new mayor let more Jews settle across the Green Line, the PLO would get the world's attention by taking to the streets.

Kollek was not gracious in defeat. He exchanged telephone condolences with Mayor David Dinkins, who had lost in New York the same day, but failed to congratulate Olmert until four days later. "Olmert's way is no good," the old lion said after midnight. "I'm sorry for Jerusalem." He particularly blamed the secular Jews who had acted so badly and now would have to live with the consequences.

Benjamin Netanyahu, the very secular head of Likud, was probably right when he said in his own post-mortem that the secular voters let Kollek go down because the possibility of a deal with the Arabs had repelled them more than the certainty of one with the *haredim.* Rabin himself artlessly shouldered responsibility, having convinced Kollek to run. He doggedly repeated that the election had been a referendum on his own policies and that the results would "send a negative message around the world." The Right agreed. Netanyahu: "It's a historic victory with wide-scale political significance." Likud MK Dan Meridor: "The message is that Jerusalem is not a subject for negotiations, even if the whole peace process is at stake."

Mayor-elect Olmert himself either did not quite know what he intended to try to do now that the prize was his, or purposely broadcast mixed signals. On the one hand, he declared that the status quo in Jerusalem as between secular and *haredim* was sacrosanct, and pledged that it would not be touched; on the other hand, the *haredi* politicians, escorted by mobs of yeshiva boys, were the first he received. On the one hand, he said that making foreign policy was not a mayor's job; on the other, he said that he would do what he could to narrow the government's options on Jerusalem. On the one hand, he said that he would give the Arabs of the city the services they lacked and try to lower the nationalistic temperature; on the other, he said that Jews have a right to live anywhere they please, and insofar as it was in his power, he would speed the building of more Jewish neighborhoods until the ring of settlement around East Jerusalem was complete and repartition truly impossible.

BRINGING us to the question of questions: is it possible that an Israeli government would entertain the idea of giving away sovereignty in Jerusalem? A few years ago, the distinguished historian Conor Cruise O'Brien, another of Teddy's friends, thought not: "It is as certain as anything can be that the state of Israel will not give up any part of its capital, Jerusalem, for anything at all, even peace." After the handshake, though, and considering some trial balloons flown by members of the Rabin government, one has to wonder.

Does Yitzhak Rabin, commander of the brigade which broke the siege of West Jerusalem in 1948 and chief of staff of the Israeli army when the rest of Jerusalem was conquered in 1967, intend to allow the Arab-populated sector to become the capital of a Palestinian state? If not, why did he reverse himself and agree to include Jerusalem in the permanent-status negotiations with the PLO, to commence no later than April 14, 1996? And if Rabin meant it when he said his native country would never give up any part of its capital, why did he agree to let the Arabs of East Jerusalem both vote and run in the elections for the interim Palestinian council in the soon-to-be-evacuated West Bank, to be held no later than July 1994? Nothing is going to be given up easily,

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but in light of Rabin's agreement to let the Palestinians raise the issue, neither is it going to be easy to keep Jerusalem out of play.

Nor, frankly, is the Israeli man-in-the-street so clear about this issue as one might suppose. Granted, if you ask whether Jerusalem should have concertinas of barbed wire through it again, even an MTV-fixated youngster in Tel Aviv will say no. The Likudnik taxi driver in Jerusalem goes farther; as far as Jerusalem is concerned, he asserts, the Arabs will have to forget it. Grill him, though, and you learn that it has been years since he drove into East Jerusalem, that he knows and accepts the fact that the city is disunited, and that he has not the slightest attachment to its non-Jewish neighborhoods.

This potential softness in what is assumed to be the hard Israeli consensus is no secret to those in the know. Israeli doves in and out of government, foreign busybodies, not to mention the Palestinians, hope to foster it until sufficient numbers of Israelis are ready to contemplate Jerusalem as the site of two capitals.

If this were to happen, it would not only mean the undoing of Teddy Kollek's life's work. It could also deal a crippling symbolic blow to the whole as-yet-unfinished Zionist enterprise. When Deputy Foreign Minister Yossi Beilin mused publicly about Arab sovereignty in the Arab neighborhoods of the city, Kollek wrote to him, "Your [ideas] are totally incomprehensible. We saw in the reunification of the city in 1967 the practical realization of the Zionist movement's goals. Will we now, with such ease, give up on a united Jerusalem?" The world's most famous ex-mayor believes, with reason, that all such schemes are a guaranteed recipe for redivision: in no time, the minefields would be replanted.

A quite chaotic logic was loosed in the woods of Oslo and on the White House lawn, one which may or may not be stopped at the gates of Jerusalem. What is for sure is that the question of the city is not waiting politely on anyone's diligently crafted timetable. The dovish Jerusalem poet Yehuda Amichai has likened that question to the *most devilishly hard word in a crossword puzzle*, answerable only if put aside for last. There is going to be no such reprieve, however. Starting now and ever more insistently over the next few years—with their anniversaries, target dates, and media spectaculars; with the final-status talks; with the pope, Arafat, and King Hussein in town hard on each others' heels; with the centennial of Theodor Herzl's one and only visit to Jerusalem, 2,000 years since the birth of Jesus, and the trimillennial celebrations of King David's selection of a capital—the last word of the crossword puzzle will inexorably be filling itself in.

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China on Our Minds

Charles Horner

ABOUT 30 years ago, it seemed that the great tradition of China would prove no match for an all-conquering Westernism. Indeed, homegrown Chinese ways—for all their enormous achievements and past triumphs—appeared to have been superseded by a secular radicalism of European invention. The leaders of that Marxist radicalism, China's ascendent Maoists, propounded a formula for restoring the humiliated imperium they had inherited to its former position of grandeur. And a large part of the formula consisted of what became famous as a "cultural revolution" directed againt the "olds," especially the ancient body of ideas and practices lumped together as Confucianism.

Another part of the formula consisted of slogans—like "world revolution" and "national liberation"—which had also been invented by Westerners. No doubt to their surprise and delight, the Maoists found that Americans and Europeans could easily be scared by these mantras of their own making. Westerners were also readily unnerved when the prognosis of their doom—which they themselves had exquisitely detailed in their own philosophical and literary works—was read back to them by Chinese Communists.

These days, of course, China is showing itself amenable to a softer kind of Westernism, one without hard political edges or doom-laden visions, and preoccupied primarily with making money. Yet Western relief over this seeming conversion of one-fourth of mankind to a faith in "market forces" has been short-lived, and is now dampened by an anxiety which, in certain quarters, has already given way to dread.

One obvious source of the unease is the recurring prophecy, already a cliché, about the Pacific Century—a great shift in the world's economic balance of forces and, therefore, of its power relations. In particular, "Greater China"—not merely the billion-plus in China, but their allies-by-blood in Hong Kong, Singapore, Taiwan, and in the well-positioned Chinese diaspora worldwide—inspires awe.

A less obvious contributor to the same unease, one suspects, is a sense that this tectonic-like shift in the global balance may not rest on Western principle at all and may therefore not be so easy to understand or cope with. We have been told about the various "ethics"—Protestant, Catholic, Jewish—and their relation to the spirit of capitalism. Now we are being told about the spirit of capitalism and Confucianism—a faraway ethic of which we know nothing, save that it engenders "empowerment" of the sort we ourselves say we need.

> The Confucian ethos, which emphasizes precisely the values which have suffered erosion in America. . . .
>
> The Western alternative exhausted by excessive individualism and decadent habits. . . .
>
> The East Asian model of development has great pragmatic appeal. . . .
>
> Behind East Asia's ever-growing trade surpluses lies an alternative world view that couldn't more sharply challenge the assumptions of the West. . . .

In such observations (drawn from a variety of representative comments), there is a not so subtle hint that we will have to stop being like Americans and start being more like the Chinese—just as, up until very recently, we were being told (and still are, by some) that we will have to start being more like the Japanese. Certainly the Chinese are not yet as rich as the Japanese. But they are on the way; and besides, their overall power is already greater, and will continue to grow.

Hence we are very likely on the brink of a new curiosity about China—a China which is neither decrepit, as it was during the 19th and early 20th centuries, nor demented, as it was during the three decades of Maoism that ended about 1980. To be sure, political repression has outlived Mao, and the memory of the Tiananmen massacre of June 1989 is still fresh in many American minds. But the number of Americans who continue to be outraged by these crimes diminishes every day as compared with those to whom yet another new China is attractive, if vaguely threatening.

IT IS, therefore, altogether fortuitous that there has recently appeared another installment of *Asia and the Making of Europe*, a masterwork of scholarship that has been a-writing for the past three decades, with more to come. Donald F. Lach, now professor emeritus of history at the University of Chicago, began the project in the early 1960's in order to learn what early-modern Europeans—from the age of discovery on—really knew about the whole of Asia, and how that knowledge affected them. The first volume of *Asia and the Making of Europe*—itself divided into two "books"—appeared in 1965. Volume II, which added three more "books" to the set, followed in 1970 and 1977. In writing Volume III, whose four "books" about the 17th century have come

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out in the past year,* Lach has been joined by Edwin J. Van Kley, a former student of his, now professor of history at Calvin College. So, in the way these things are usually reckoned, there are nine volumes to heft.

Though it is only one of the nine that will provide points of reference for the speculations here, we should not proceed even to that one without noting, if only in passing, that the work as a whole is an astonishing achievement. In this latest volume, covering the 1600's alone, the authors set out to study every book published in Europe in that century about East, South, and Southeast Asia. In an age bloated with babble about multiculturalism, we are indebted to Lach and Van Kley for reminding us how difficult it is to practice the real thing, and how much one really needs to know in order to do it. Here, after all, is a project that displays facility in arcane Latin, Spanish, Portuguese, French, Italian, Dutch, German, and English, and a mastery of subsequent modern historical study of Asia, against which the earlier European writings can be weighed.

But the real achievement is neither linguistic nor bibliographic. It is, rather, genuinely intellectual, a lesson in how one goes about learning things and making judgments about them. It is a reminder, too, that "scholarship for its own sake" will sometimes come in handy in unanticipated ways. Could we, a generation ago, have foreseen that our understanding of and expectations about China would be as radically transformed as they have been in recent years? Would we, under the aegis of "strategic studies," have sponsored an investigation of European Sinology of the 17th century on the grounds that it might conceivably help reorient us at the onset of the 21st?

THEN as now there were aspects of Western interest in the East that were decidedly unromantic. Seaborne commerce between Europe and Asia expanded to the point where national economies all over the world became irrevocably linked. International trade was an increasingly profitable undertaking for Europeans and Asians alike, with all the risks, rewards, and complaints of our own day. New World silver flooded into China and caused prices to rise. In Mexico, a silk industry which the Spanish had established collapsed because of cheap Asian imports. The European textile industry of the 1680's was comparably battered, leading to protectionist agitation.

At the same time, however, new commercial opportunities led to innovations in technology and organization. There were improvements in ship design and construction, new forms of business enterprise, new ways of raising larger sums of capital, new experiments in market manipulation and monopoly.

Beyond the importation of goods, information about the East arrived in substantial quantity. Lach and Van Kley aver that China was probably the part of Asia best known to European readers. During the 17th century, 50 major independent works on China were published, many of which were among the most popular publications of the era. And there were histories, travelogues, letter-books, atlases, encyclopedias, and specialized treatises of all sorts—extending even to detailed accounts of Chinese flora and Chinese medicine.

And when, courtesy of the extraordinarily energetic Lach and Van Kley, we are provided a recounting, *in extenso*, of the quality of Western observations about China *ca.* 1670, and when we weigh them against our own living memory of comparable observations *ca.* 1970, the cumulative effect is quite sobering. For a literate Westerner could have gained a more trustworthy grasp of contemporaneous China from Jesuits, traders, and casual observers three centuries ago than was to be had from Sinologists, journalists, and "political pilgrims" three centuries later in the age of Mao.

I OFFER these reflections principally to stress the kind of intellectual effort that was involved then, and that is still required now. In retrospect, we recognize that the early modern Sinology described by Lach and Van Kley sought to make sense of the high achievements and great endurance of Chinese civilization as ever more of it was becoming known. Thus, Chinese government, in its administrative complexity and moral and philosophical underpinnings, was widely praised. The central role of the Chinese family was appreciated and admired, the scale of commercial activity in the major cities was deemed remarkable by European standards, and memorable impressions were recorded concerning the sheer size of the country and the mass of its population.

Across the entire range of China's accomplishments, the highest regard was accorded to moral and political philosophy and historical studies, as against the natural sciences. This particular fascination led to a general infatuation with Confucianism as an outlook, and with the sage himself as a personality. As time went on, he became a symbol of rationality, urbanity, and humaneness and, even later, the basis for an 18th-century craze extolling the Chinese state as the proper model for all enlightened despots.

DESPITE all these wonders, natural and man-made, Europeans had soon to confront and try to understand the collapse of a Chinese ruling house that had been in power since 1368. The Ming dynasty began to crumble about 1620 or so, and was finally dispatched in 1644 by the Manchus, one of the peoples who lived beyond the Great Wall and who created the last of the dynasties, the Ch'ing, which ended in 1912.

It took the Manchus about 40 years to mop up the last of the Ming loyalists, surely long enough for European Sinophiles to speculate on the implications and causes of this great event. Some recognized that the Manchu conquest was an event of world-historical significance. There was debate over whether the fall of the Ming house

* University of Chicago Press. Book 1, 674 pp., $85.00; Book 2, 568 pp., $75.00; Book 3, 504 pp., $65.00; Book 4, 627 pp., $85.00.

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meant the fall of Chinese civilization as such and its replacement by an inner Asian barbarism. The calamity was attributed to bad government at court, and even worse in the provinces. It was even bruited that the Manchu conquest was God's vengeance against one of the last Ming emperors for his sometime persecution of Jesuit missionaries. There was intense speculation that the international system in Asia, and the relations between East and West generally, would be profoundly affected.

As the 17th century came to a close, none of the worst fears of either the Chinese or the foreigners was realized. The Manchus quickly became even more Chinese than their new subjects, and proceeded to raise the country to unprecedented heights of wealth, power, and sophistication. In the end, the prediction of doom turned out to be a false alarm, and the European accounts of China became all the more flattering for that.

HERE, then, was a cycle of understanding, reached without the intervention of any of the "modern" social sciences and by men whose qualifications would surely be suspect today. They were, after all, believing Christians, rapacious traders, committed royalists. They both embodied and foreshadowed a tough Western imperialism, an age when Eurocentrism was not some self-denigrating construct but rather a fighting faith, a Church militant, a fleet of gunboats, an Opium War and, ultimately, an atomic bomb.

Today, however, no matter how we may rate the West's ability to make a forceful impression on the East, by now it has surely done its damnedest; it is no longer of a mind or a mood to do more. At the same time, the more benign method of influence-by-example seems also to have reached its limit of effectiveness. Has our comportment these past few years been intimidating or even inspirational?

Against this background of self-doubt, the support of many Westerners for political liberty in China is all the more impressive. Like the persistence shown by indefatigable missionaries centuries ago, this support is a mark of true faith and deep optimism. For imagining a democratized China in our age of Western confusion involves conviction and commitment to principle as great as the one which envisioned a Christianized China in an earlier age of Western certitude.

In that same earlier time, when the survival of China as an independent entity was itself in doubt, Chinese had to be attentive to things Western. Now, it is certain traditional Chinese virtues—cooperative endeavor, not rampant individualism; regard for the public good, not unrestrained self-assertion; respect for inherited culture, not unbridled decadence—to which Westerners are becoming attentive.

Indeed, such is the criticism of contemporary Western society built into these polarities that the growing admiration in the West for tough-minded Confucianism is reminiscent of what Simon Leys once called "right-wing Sinophilia," an approving response to the Puritanism of Mao's China, now transferred to Lee Kuan Yew's Singapore.

Yet, whatever the "populist" appeal of Confucian authoritarianism for those who have heard about a tidy Singapore and find it preferable to a tawdry Manhattan, the underlying Confucian creed has never been populist at all, but elitist in every sense. The Jesuits knew this in the 17th century, and it was one reason they were optimistic about the missionary prospects for their own intellectually impressive, highly cultivated, and immensely learned Catholic faith. Later, the *philosophes* also knew it, and were comparably beguiled by the utopian potential of an enlightened despot advised by intellectually accomplished, highly refined mandarins. And there was more than one echo of this sentiment in the Western intelligentsia's worshipful deference to Chinese Communism and its vanguard party.

This last group, like the Chinese to whom it once deferred, may talk much nowadays about markets and democracy, but if the past is any guide, it will cast about for arguments that establish its own right to rule in any scheme of things.

Indeed, it may be that the growing fascination of Western intellectuals with China reflects their recognition that, with the end of socialism, Confucianism in action is the last remaining thing around that demonstrates what rule by the "best and the brightest" can really achieve. No wonder, then, that intellectuals seem to suffer so much less from the uneasiness that has come to afflict others as "Western liberalism" confronts the new power of the "Confucian ethic" and begins to retreat before it.

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A New Masterpiece

Samuel Lipman

THE 1980 *New Grove Dictionary of Music and Musicians* described the American modernist Hugo Weisgall (born 1912) as "perhaps America's most important composer of operas." In the 1986 *New Grove Dictionary of American Music*, a compilation drawn from the 1980 edition and revised, the article on Weisgall calls him merely "one of America's most important composers of operas. . . ." But as the current New York opera season has amply demonstrated, the Grove editors would have done well to have stuck to their initial formulation.

What has now definitively propelled Weisgall to leadership in American opera is the world premiere by the New York City Opera of his latest work, *Esther*. Originally commissioned in 1987 by the San Francisco Opera and its then-general director, Terence McEwen (to whom the work is dedicated), *Esther* was canceled, after much work in preparatory sessions. The cancelation was the achievement, justified on various grounds, of Lotfi Mansouri, McEwen's replacement. While charges against Weisgall's work were aired in the opera world—charges of Meyerbeerian excess and impracticability—the underlying reason for the cancelation seems simple enough: *Esther* was just musically too difficult and theatrically too mainstream for the San Francisco Opera at this moment in its artistic life.

But then, some four years ago, *Esther* was picked up by the adventuresome New York City Opera and its general director, Christopher Keene. The grandiose plans Keene had for multiple performances of three American operas—Ezra Laderman's *Marilyn* and Lukas Foss's *Griffelkin*, in addition to *Esther*—foundered on the rocks of financial reality: in the end, the City Opera went ahead, but did only three performances of *Marilyn* and only two each of *Griffelkin* and *Esther*, the whole flurry of activity crammed into slightly more than a week.

Marilyn and *Griffelkin* were poorly received, but *Esther* was a triumph with critics and audience alike. Both performances were quickly sold out. In just one example of the well-nigh universal praise the opera received, including from such respected critics as Edward Rothstein (in the *New York Times*) and Martin Bernheimer (in the *Los Angeles Times*), Peter Davis wrote in *New York* magazine:

> The audiences at both performances were rapt and appreciative. I'd like to think they were heartened and possibly surprised with a new American opera of such musical substance, as well as one so richly textured, skillfully made, and so emotionally stirring. . . . The City Opera can congratulate itself . . . most of all, for enriching the repertory with *Esther*, a work that can now be placed among the very finest American operas we have.

I cannot say that this reaction was a surprise to me. I had been a devoted and grateful student of Weisgall's at Juilliard in 1959-60, had heard many of his works, had played his 1974 Piano Sonata (which was written for me) several times, and had been a great admirer of his earlier and highly successful opera, *Six Characters in Search of an Author* (1956), a brilliant setting (with the librettist Denis Johnston) of Luigi Pirandello's play.

Six Characters was thoroughly cosmopolitan, summarizing the universal modernist cultural experience of the 20th century. Weisgall's new work, however, a setting of the biblical Book of Esther, is in a narrow sense about the experience of the Jews under their enemy Haman; in a wider sense, it is about the eternal Jewish paradox of divine chosenness and man-imposed suffering. Only a Jew—and only a conscious, believing Jew like Weisgall—could have written *Esther*. Its theme, expressed by the union between Weisgall's music and Charles Kondek's remarkable libretto, is nothing less than the fate of the Jewish people.

THE opera hews closely to the biblical story. King Xerxes (the biblical name Ahasuerus was not used because Weisgall felt that the Hebrew form, with its four syllables, was unsingable) puts away Vashti, his disobedient wife and queen. His search for a new wife falls upon Esther, a beautiful young Jewish girl and the foster-child of Mordecai, the nephew of her father. On Mordecai's instructions, Esther does not reveal her origins, but when he tells Esther to inform Xerxes of a regicide plot, the king has the perpetrators hanged.

In the meantime, Xerxes has advanced the anti-Semite Haman to the post of prime minister; when Haman proposes that the Jews be exterminated, Xerxes allows him to issue an irrevocable decree to this effect. At Mordecai's urging, Esther begs for a royal banquet at which she can ask her husband to preserve the Jews. Haman thinks he can forestall this reversal of his edict by hanging Mordecai; but when Xerxes is informed that Mordecai had in effect saved his life, the king orders Haman hanged instead.

Esther then asks Xerxes to allow the Jews to defend themselves, and he agrees. The biblical account ends with the Jews killing 75,000

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of their enemies; in the opera's major diversion from the Bible, Esther regrets the slaughter.

THE accusation in San Francisco had been that *Esther* was "Meyerbeerian": that is, that it required huge performing resources both musically and scenically. Yet it is scored for a moderately sized grand-opera orchestra of—in addition to the usual strings—double woodwinds (save for three flutes), normal brass with three trumpets, three trombones and tuba, and two percussion players. At the City Opera, *Esther* was performed with a total orchestral complement of 65 (for perspective, it should be noted that a normal Richard Strauss opera can call for over 100 players); since the number of winds and brass prescribed by Weisgall was obligatory (in that they play individual, not doubled, parts), the strings bore the brunt of both the City Opera's small orchestra pit and its need to save money.

As for scenic requirements, a quick perusal of the stage directions contained in the score makes it clear that little more is called for than can be achieved by inventive slide projections; and, indeed, the City Opera production was both spare and by all accounts highly dramatic.* *Esther* does call for a chorus and a tiny ballet—but what grand opera, after all, does not?

There can be little doubt that the music of *Esther*, like everything written by Weisgall, is difficult to perform. It is highly chromatic and only rarely tonal; put another way, this means that singers are always being called upon to sing sharps and flats that have little apparent relation to the consonant harmonies and intervals with which they spend their artistic lives. The same problem applies to the choral parts. Though they are often sung in unison, they demand a kind of agility and exactitude not often required from opera choruses.

But in fact the City Opera, at a difficult moment in its financial life, did surmount the problems that had just a very few years ago forced San Francisco, putatively one of our "true" grand-opera companies, to cut and run. The winds and brass played marvelously, and only in the thinness of the string tone was an important element of the work less than fully presented.

The singers, led by the extraordinary Esther of Lauren Flanigan and the remarkable Vashti of Robynne Redmon, sparkled. As heard on the tape, all the singers' diction was splendid. Indeed, so scrupulous is Weisgall's scoring never to obscure the voices, that one wonders just why supertitles—all the rage with today's nonmusical administrators, critics, and audiences—were felt to be necessary. Not only did everyone in the cast sing accurately, and with beautiful tone; the always sonorous chorus was also magnificently trained by *Esther*'s sensitive conductor, Joseph Colaneri.

WEISGALL's writing has always been full of interest, with an original style reminiscent but never imitative of Alban Berg. I once called him "the thinking man's Menotti," by which I meant that he has managed for sophisticated listeners to do dramatically in opera what Menotti has done for a general public. But there was always, even in the melodious *Six Characters*, something of an austere surface to his music; and as his operas, because of the poor taste of operatic decision-makers, failed to receive many repeated performances, audiences, even willing ones, had no opportunity to penetrate the surface to the riches of the music.

Now Weisgall has reached a creative peak at the age of eighty-one—a chronological phenomenon matched in musical history only by Verdi in the 19th century and Richard Strauss in our own. In *Esther* there is, as has always been the case with Weisgall, brilliant craftsmanship: Act I, for example, seems to me largely built out of a motive consisting of two notes separated by a half- or whole step and then followed by the leap of either a diminished or a perfect fifth. There are long and beautiful melodies, even for the unsympathetic characters, of which *Esther* certainly has its share. Even the many dissonances that reflect the dramatic content of the story are profoundly musical, with each note audible against its companions.

Another remarkable feature of *Esther* is the nature of the transitions between scenes. Each act is composed of as many as thirteen short scenes; instead of melding one into another by means of linking material—as became the prevailing practice in operatic writing after arias with their definitive stops and new beginnings were no longer in fashion—Weisgall simply proceeds from one scene to another by abrupt contrast. It is a measure of the complete integration of music with story that these sharp contrasts are self-explanatory; and thus, I might add, they make possible scene changes through simple lighting and shifting of the action to another part of the stage.

Yet another feature of *Esther* deserves notice. The solo voices, whether singing alone or in traditional operatic duets and trios, are varied so as to bring out their different and conflicting dramatic perspectives. By contrast, the chorus, representing the Jewish people, is a monolithic block of sound and sentiment; in this it seems to be performing, and developing, the role of the choir in the synagogue service which Weisgall, as the scion of a whole family of cantors, has known from his earliest years.†

How does *Esther* stack up with the new American operas of recent

* I was unable to attend these performances because of illness, but I heard a tape of one of them.

† It should be mentioned that Weisgall each year conducts High Holy Day services in a small traditional synagogue in Maine, chanting the entire ritual himself. He has also written parts of a Synagogue Service. Commissioned in the mid-1980's by Temple Emanu-El in New York, this work-in-progress was canceled when half-completed, perhaps because of a possibly justified fear that Weisgall's modernist idiom might not be accepted by the temple's members. But surely there is a Jewish congregation somewhere in the United States that might wish the honor of completing the commission and in the process adding to the liturgy a work sure to rank with the now-classic Sacred Services of Ernest Bloch and Darius Milhaud.

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years? I have seen a whole covey of them, including Philip Glass's *Einstein on the Beach*, *Satyagraha*, *Akhnaten*, and *The Voyage*; John Adams's *Nixon in China* and *The Death of Klinghoffer*; John Corigliano's *The Ghosts of Versailles*; Dominick Argento's *Casanova*; Jay Reise's *Rasputin*; and Anthony Davis's *Malcolm X*. *Einstein* was partially saved, it seems to me, by the hieratic production of Robert Wilson and the choreography of Lucinda Childs. Otherwise, all these works—even the Corigliano, which received an unparalleled flood of media coverage on its 1991 debut—seem already to have receded into the ever-hopeful, and equally ever-bitter, history of American opera. This is not because they were treated shabbily in the allocation of production resources: Corigliano's *Ghosts*, it is said, took over $2 million to produce, at least 25 times more than *Esther*.

The case can be put simply: the widely-trumpeted American operas I have seen have been all hype; *Esther*, hardly covered in the press prior to its production, is all music and drama—the very definition of what opera came to mean after Richard Wagner.

What, then, will be its fate? There is already talk of reviving *Esther* at the City Opera; for this to happen, one must pray for that company's financial survival under the embattled Christopher Keene. But will other companies pick up *Esther*? I wish I could be more optimistic.

These days, the performance of contemporary American opera suffers from an endemic disease that might be called "premiereitis." The symptoms of this usually fatal disease are first the mad search for a composer to commission, in which the lucky winner might (as with Corigliano) never have written a real opera before, or might himself never have been heard of before (as with Reise); second, the emphasis on "workshopping," that is, endless rewriting in the hope that what the original composer and librettist have failed to contribute can now be supplied by brainstorming directors, producers, and assorted hangers-on; and third, the endless harping in the advance publicity on how the work is being seen FOR THE FIRST TIME ANYWHERE!

Viewed from this standpoint, *Esther*'s greatest handicap now is simply that it has already been done. Furthermore, there is the sad but undoubted fact that music matters less today in the opera house than "production values." The rulers of today's operatic roost are not the composers but rather the directors and the set designers; and the more mechanical contrivances and the more lighting splashes, the better. This does not bode well for a work like *Esther*.

BUT I do not want to leave the subject of *Esther* on such a dour note. If the Jews have survived, I am tempted to say, so can Hugo Weisgall's opera. For in addition to all the beautiful music, and to all the epic drama, *Esther* makes a statement for our time about the Jewish predicament. *Esther* is not about Jewish triumph, for at the end its heroine derives no happiness from the victory of her people. The words Kondek's libretto gives her are explicit and profound:

> At last, there is a quiet, the horror long past.
> Yet, that that day could not have been avoided
> Fills me with grief, with regret.
> Yet I cannot forget, no one should forget,
> It must not be forgotten. It must not be repeated.
> So much blood, so many, so many dead.

But if *Esther* is not about Jewish triumph, it *is* about the mystery of Jewish survival, which it places before our ears, our eyes, and our hearts. With the great help of Charles Kondek, Hugo Weisgall, indeed our leading composer of opera, has written a masterpiece that will last.

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Leading Lady

THE DOWNING STREET YEARS. By MARGARET THATCHER. *HarperCollins. 914 pp. $30.00.*

Reviewed by PAUL JOHNSON

YOU cannot stop rulers from writing memoirs. Egyptian pharaohs and Persian kings published their doings on vainglorious *stelae*, notorious for exaggerations and plain inventions. Generations of schoolboys once had to struggle through the war memoirs of Julius Caesar in Latin. The modern tradition was inaugurated by Winston Churchill in 1923, when he published four volumes about World War I. His colleague, A.J. Balfour, noted dryly: "Winston has published an enormous book about himself and called it *The World Crisis*." Churchill's motives were self-justification (he had served as First Lord of the Admiralty during the disastrous Dardanelles campaign) and money, and his success at both set off an avalanche of print, led by Lloyd George. So it has continued.

On the western side of the Atlantic, untimely death spared readers the vindications of Wilson, Harding, Roosevelt, and Kennedy; but Coolidge, Hoover, Truman, Eisenhower, Johnson, Nixon, Ford, Carter, and Reagan have all spoken, some more than once, others at considerable length. On the eastern side, Chamberlain and Macdonald died before they had the chance and Balfour and Baldwin stayed their hands. All the rest, even the dullest, like Attlee, Douglas-Home, Heath, and Callaghan, insisted on being heard. Eden and, still more, Harold Wilson and Macmillan engaged in multivolume ventures of prodigious length and unspeakable tedium, and of course we have had six more volumes of Churchill.

So it was not to be expected that Margaret Thatcher would remain silent. In the first place, she is talkative—although not so much as many claim, and it is quite untrue that she never listens. Often she talks out of nervousness, to fill the silences left by awed interlocutors. If people are bold, and what they say is worth hearing, she will not only listen hard but whip a notebook out of her handbag and make a record. Nevertheless, she does feel she has a lot to say, and says it, stressing both vocally and in print many more words than is necessary for effective emphasis, a tiresome trait.

But then again she is one who, after a triumphant reign of glory—some would say terror—was bundled out of office unceremoniously in the biggest exercise of collective treachery seen in British politics in this century. She is certainly entitled to give her version of this untoward event and what led up to it. Fellow Tories, who are having a hard time at present and do not want further embarrassment, say she should have waited a few years. But the lady naturally wanted to speak out while interest in the subject is still vivid, and in any case she owes the Tory party nothing—quite the reverse.

Furthermore, she wants to raise money for the Thatcher Foundation, and that sort of thing is much more difficult to do on the British than on the American side of the Atlantic. Lloyd George, who made a fortune out of selling honors, showed how useful it was for a former Prime Minister to have the means to back his ideas. The precise objectives of the Thatcher Foundation are not clear to me, but evidently she has no intention of allowing the spirit of Thatcherism to die for lack of money to keep it alive.

For all these reasons, Margaret Thatcher was bound to give an account of her stewardship, beginning with her eleven-and-a-half years as Prime Minister. (Her apprenticeship and rise to power will come later.) What is the result? As a rule, and Churchill always excepted, there is no particular reason why Americans should read the reminiscences of a British Prime Minister. In this case, however, there are several.

First, Thatcher had to face, sometimes in an even more acute form, the problems which baffled America in the 1980's and are still around in the 1990's: inflation, government overspending, lack of national will, relative economic decline, trade deficits, overregulation, bureaucratic elephantiasis and inertia, welfare dependency, and the multiple evils of an overnourished liberalism in all the country's institutions, from the campus to the media.

Second, Thatcher tackled these difficulties in broadly the same spirit as did Ronald Reagan in the United States, by seeking to deploy a very few simple, rudimentary beliefs clearly presented and tenaciously pursued. Thatcher's performance is interesting both when it echoes Reagan's and when it differs from it. She is far more articulate than Reagan and more conscious of the origins of her salient ideas; in this book she pays eloquent tribute to the influence on her actions of such thinkers as F.A. Hayek and Michael Novak. On the other hand, like Reagan, she glories in homespun ethics and morality, which in her case derive both from her father and from her husband, Denis. For instance, she quotes the latter on success: "The desire to win is born in most of us. The will to win is a matter of training. The manner of winning is a matter of honor." Like Reagan, too, she puts morality, as opposed to expediency, right at the center of politics. Her working vocabulary is rich in good and evil, right and wrong, the responsibilities of the individual and the horrors of collectivism.

PAUL JOHNSON's *many books include* Modern Times, The Birth of the Modern, *and* Intellectuals. He writes a weekly column for the *London Spectator.*

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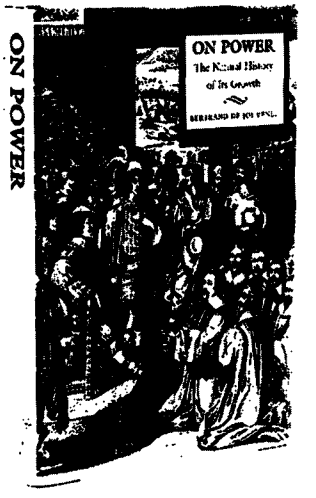

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In particular Thatcher dislikes the implications of the word "society," as currently used to evade personal duty. In this book she explains that she strenuously objects to "the confusion of society with the state as the helper of first resort." Hence her famous, or notorious, remark on one occasion that, in this sense, "there is no such thing as society." She went on:

> There are individual men and women, and there are families. And no government can do anything except through people, and people must look to themselves first. It's our duty to look after ourselves and then to look after our neighbor.

In *The Downing Street Years* she says that when she heard critics calling on "society" to come to the rescue, she would ask: "And what are you doing about it, then?" She adds: "Society for me was not an excuse, it was a source of obligation."

In the ability to appeal to strong, basic moral instincts, Thatcher was at least the equal of Reagan. Where she fell short of him was in the ability to please. Reagan proved an astonishingly difficult man to dislike; Thatcher, abrasive rather than emollient, was only too easy to hate, even by those who sometimes agreed with her. Of all the presentational techniques, humor is the most useful to a politician, and none ever employed it more frequently or skillfully than Reagan. Thatcher lacked his devastating repertoire of one-liners (though once, after a succession of tedious male speeches, I heard her come up with: "The cock may crow but it's the hen which lays the egg"—a striking and unique example of Thatcherite feminism).

It is often claimed that Thatcher has no sense of humor, but that is not true. Her peculiar brand—wistful, sad, resigned, ironic, and what the French call *désabusé*—crops up again and again in this book. But it is not the kind of jokiness which fits a political purpose, such as electioneering. Thatcher could command the public but she could not jolly it along. Their perception of her—brave, strong-willed, single-minded, and hugely obstinate, but also unfeeling, deaf to criticism, and materialistic—was an extraordinary mixture of truth and complete misapprehension. The woman she sold was only half of the woman she was. Of the nine Prime Ministers I have known, she was the only one, apart from Wilson, conspicuous for her kindness to those around her, interest in other people, and unselfishness. But this never came across.

A THIRD reason why Americans should read this book is that it contains important insights into the way the cold war was won and into other foreign-policy matters of at least as much concern to America as to Britain. It shows that Thatcher was the author of the winning formula for breaking the will of the tiring Soviet colossus, which Reagan was happy to adopt. While it is clear the strategy would not have worked without Reagan's enthusiasm, and indeed leadership, it might never have been conceived without Thatcher, or persisted in without her resolution.

No one has ever been a firmer exponent of the maxim that aggression must never be allowed to pay. She showed this in the Falklands crisis, which forms the most riveting chapter in her book, and she showed it again in the summer of 1990 when Iraq invaded Kuwait. Fortunately, on this latter occasion, she was in Colorado and able to bend George Bush's ear on the spot. Otherwise, Operation Desert Storm might never have been conceived.

Equally, the biggest beneficiary of her abrupt departure from office in November 1990 was Saddam Hussein. For it is inconceivable that Thatcher, if still in power, would have permitted Bush to let the Iraqi dictator off the hook after the success of Desert Storm. American readers who study Thatcher's text will be persuaded that her presence in Anglo-American councils has been missed many times since then—notably on how to handle the breakup of Yugoslavia. With a Thatcherite input, the tragedy of Bosnia would have been a very different story: not necessarily less bloody, but certainly less shameful. She is also likely to be missed in devising a strategy, now urgently needed, to handle the accelerating emergence of China as a global colossus.

A FINAL reason why Americans should read this book is that it is an education in modern democratic politics. Politics has dominated Margaret Thatcher's life: she is really interested in nothing else. Her book reflects her concentrated single-mindedness from start to finish. Here is the story of how a radical reformer sets about using the machinery of government to change policies, attitudes, and institutions: where compromises must be made, where they must be avoided, how the courage of weaker sisters can be screwed to the sticking-place (as Shakespeare put it) and how it sometimes breaks in the process, how cabinets can be bullied, coaxed, bribed, and divided-and-ruled, how worms turn and mouths bite the hands that feed. Love, hate, disdain, snobbery, sexism, class rancor, envy, jealousy, petty-mindedness, and decency all play their parts in Thatcher's tale. She is particularly good on her—on the whole—rather second-rate colleagues.

Here then is a good, if long, tale, plainly told with sometimes too much detail but no padding. The book has caused an almighty hullabaloo in Britain, beginning with scandalous pre-publication leaks. Many of her ex-ministers have risen from their living tombs to denounce it with quivering rage, and so have added to its notoriety. Her old enemy, the BBC, has devoted countless hours of air time to its destruction, so helping to ensure it will live. The lady has been everywhere, energetically plugging it, and she disposed of 300,000 copies in the first three days of publication, an enormous sale for Britain.

One salient point *The Downing Street Years* gets across is that little can be achieved in politics, still less in geopolitics, without strong leadership. In a world which now lacks leadership everywhere, that is a poignant reminder. My own feeling, not widely shared in London, is that Margaret Thatcher may well return to power. The lady is not unwilling.

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Inside Story

THE BEGINNING OF THE JOURNEY: THE MARRIAGE OF DIANA AND LIONEL TRILLING. By DIANA TRILLING. *Harcourt Brace. 369 pp. $24.95.*

Reviewed by MIDGE DECTER

OF THE many possible reasons for publishing a memoir, Diana Trilling's must surely rank among the oddest. She tells us in her preface to *The Beginning of the Journey* that in writing the book she had hoped to accomplish two things. First, the various accounts of her husband, the eminent critic Lionel Trilling, that have been published since his death in 1975 have tended to dwell almost exclusively on his many graces, failing to perceive or understand the darker aspect of his nature, and she wanted to ensure that he would no longer be seen, as she puts it, "so narrowly." Second, in pondering the disposition of her husband's papers after his death, she came to think that some day a biographer might find that she and he together made a more interesting subject than either of them alone: "If this should happen, I wanted the undertaking to be more solidly rooted in truth than was likely were the biographer dependent on existing sources."

The Beginning of the Journey brings the Trillings up only to 1950. There are occasional flashes forward, but mainly it is about their courtship and the first 21 years of their marriage. And aside from the story of how they for one brief moment in the early 1930's flirted with the Communists and then quickly became lifelong anti-Communists, there is suprisingly little (and that highly selective and not altogether accurate) about the subsequent political wars in which she was so visible and audible a participant.

Even more puzzling is her denial that being Jewish had any significance for either of them, a denial she issues sharply and with a suspect insistence. As it happens, Lionel Trilling left behind a record of his interest in the matter (including his famous essay, "Wordsworth and the Rabbis"*), but even if he had not, it would be difficult to believe that two children of Jewish immigrants from Eastern Europe could live through the 1930's and 1940's without a certain serious raising of their consciousness—regardless of where it took them.

Most puzzling of all is that the book should end in 1950, since this was the year in which, with the publication of *The Liberal Imagination*, Lionel Trilling became a literary celebrity. This was also the year in which Diana Trilling herself, having quit reviewing books for the *Nation*, began to publish essays in *Partisan Review*, thereby becoming a member in full standing—in, as they say, "her own right"—of that special community known as the New York intellectuals.

The Trillings were by then both forty-five years old. They had a child of two, who would naturally be playing an increasingly central role in their life together. Lionel had 25 years left to live, and, among other things, a number of books left to write. Diana, too, had several books ahead of her. Yet, she says, after 1950 there were basically no changes in the pattern of their life; and in any case, "with the information which I supply here, the events of succeeding years can, I believe, be sufficiently reconstructed." In the world of electoral politics, this would be called "spin control." Coming from a serious writer, it is almost thrilling in its obtuseness.

But just suppose that one day a biographer obedient to Diana Trilling's will were to come along and set out to write the book of which she dreams. What would he learn from this memoir? He would learn that the marriage of the Trillings was from almost its first moment plunged into an almost unrelieved state of darkness and difficulty, dominated by two preoccupations: illness and money.

THE story as Diana tells it basically begins during the summer of 1929, right after they were married and spending their honeymoon in a cabin in Connecticut. One day, apropos of nothing, she was seized with a bout of panic that would not long after become a permanent condition, in which for many years she would be unable, literally, to be left alone. She also came to be afflicted with phobias which, along with all the other limitations on their freedom, necessitated her living on the ground floor (as, to this day, she still does).

Meanwhile, Lionel was writing book reviews and struggling to finish his Ph.D. dissertation and contending with depressions of his own. Both Lionel and Diana were to be in psychoanalysis for years and years, in Diana's case under the ministrations of seven different analysts. Moreover, almost immediately after their honeymoon

* COMMENTARY, February 1955.

MIDGE DECTER *is Distinguished Fellow of the Institute on Religion and Public Life and the author of, among other books,* Liberal Parents, Radical Children *and* The Liberated Woman & Other Americans.

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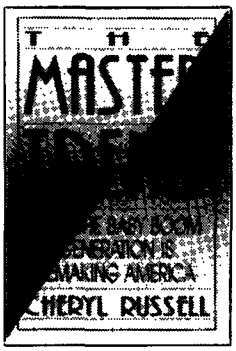

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came the stock-market crash, followed by the Great Depression. Diana's father, who had been a wealthy businessman, lost a good deal of his money. Lionel's family, only moderately prosperous to begin with, lost everything, so that for some years he would have to support them.

Thus, on top of their other struggles, the Trillings were always in debt—then, and later. In 1932 Lionel was appointed to an instructorship in the English department of Columbia, which meant that, unlike many of their friends and acquaintances, they had a steady if extremely modest source of income. On top of this, in the following year the death of Diana's father brought them a small inheritance. Still, they could never make ends meet. Their medical expenses alone were enormous, not to mention the burden of keeping Lionel's parents. But in addition, as Diana tells us more than once, they simply could not bring themselves to live as penuriously as others in their circumstances did.

And all the while they quarreled, bitterly—almost always, it would seem, at Lionel's instigation. He would shout, and accuse her of ruining his life, until she cried. In later years, she says, she would discover the way to abort these scenes: instead of bringing them to a conclusion by weeping, she would simply leave the room.

By the time he reaches the middle of this book, our future biographer might begin to wonder whether he had not picked for himself a subject almost impossible to write about interestingly. After all, everyone had money troubles in the 30's. Furthermore, now as then, two out of three Ph.D. candidates in the field of literature slog through their dissertations, unable to write, or unable to finish, depressed, angry, and sometimes paralyzed. And what husband has not hurled angry accusations against his wife, and what wife has not wept or left the room in response? Finally, who among the world's writers was not either unbearably pressed by one or both of his parents to succeed, as she tells us Lionel was, or put down and told he must not rise above them, as she says she was?

By comparison with the mayhem which the biographers of so many of the Trillings' literary contemporaries have had to spice up their narratives—madness, violence, suicide—Diana's confidences seem almost banal. True, she was seriously plagued by illness—hampered herself and how not hampering to him?—but here she is, eighty-eight years old, and alive to tell the tale. There must be something more to this tale than she is giving their joint biographer to tell.

As indeed there is. Anyone who knew the Trillings, especially in the years immediately following those chronicled in *The Beginning of the Journey*, is bound to be taken aback by the "spin" Diana has chosen to put not only on Lionel but on herself as well. What is completely missing from this heavily gloomy book is the *lightness* of the Trilling household: the fun, the hospitality, the joking, the teasing, Lionel's terrible and sometimes brilliant puns, the talk, talk, talk—talk more nourishing than a lifetime of meals—and even, on at least one memorable occasion, the dancing. All this was there in the years between 1950 and 1975, when I myself was privileged to be included among the Trillings' friends. (Diana and I were to have a falling-out not long after Lionel's death.) And it is hard to imagine that this very highest kind of amusement was not to be found in their household, in some degree or guise, for some of the time before.

As for the darker side of Lionel's nature, how can Diana Trilling suppose that his admirers, let alone his friends, ever really believed him free of black times and rages? What does she take them—us—for? Few people—and almost certainly no serious writers—are free of such things. The question, then, is: in aid of illuminating what is Lionel's dark side to be uncovered, and more important, in what spirit? For there can scarcely be a more "narrow" view of Lionel Trilling—or for that matter of Diana Trilling herself—than the one on offer in *The Beginning of the Journey*.

One would never guess, for instance, that among the "graces" she refers to so dismissively was the kind of preternatural intelligence that made it possible for Lionel to sit in a roomful of chattering people and know exactly what was going on with each and every one of them. It was this very special power of eye and mind that commanded his prose (and sometimes, out of the sheer complexity of what he saw, tended to clot it) and that made his conversation an adventure. Diana tells us that he really wanted to be a novelist rather than a critic and that he was disappointed to have written so little fiction; and perhaps it was this special quality of mind, too, that impeded the kind of surrender to the unconscious necessary for the writing of fiction. In any case, she must surely have been aware of this quality in him. Yet she makes no mention of it—not to speak of what had to have been its effect on their relations.

In the end, the historical revision Diana Trilling is attempting in this book would seem to have more to do with cultural politics, past and present, than with any revelation of some vital personal information heretofore unknown. To grasp the nature of this revision, it has to be understood that the Trillings were regarded by many of their literary contemporaries as impermissibly "bourgeois." Such an epithet sounds almost laughable nowadays, when the avant-garde cannot advance fast enough to keep up with its middle-class imitators, but it was no laughing matter then. To be stably married, with the husband the family breadwinner, may have been something more or less taken for granted in the then rather staid precincts of Columbia, but it was a rare condition in the New York literary world. Rare, and frequently, though not always explicitly, viewed with contempt. Lionel was held to be a man with a questionable distaste for adventure and an unholy taste for elegance, in his demeanor, his dress, and even, especially among the Francophiles, in his love of 19th-century English literature.

Diana closes her book with a

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paragraph devoted to the "strange difficult ungenerous unreliable and unkind, not always honest people who created the world in which Lionel and I shared," and provides a list, among whom the best known today are Philip Rahv, Dwight Macdonald, Mary McCarthy, Hannah Arendt, Sidney Hook, Edmund Wilson, Malcolm Cowley, Delmore Schwartz, William Barrett, and James Agee. Her characterization of these people, at least in their existence as a community, is certainly just (and her contention that we shall not look upon their like again is probably correct). The point is that while they all came to honor and respect Lionel, many of them disapproved of "the Trillings"—for, precisely, their ruliness. The Lionel of the rages and depressions may be Diana's bid, after all these years, to prove to the world that he suffered as did any poet—in other words, to shuck off the malice of Philip Rahv, Mary McCarthy, and company. They are all dead, but they may still have the power to rankle.

As FOR present-day literary politics, try as one may, it is impossible not to find lurking in these pages a contemporary feminist subtext. Not that Diana wishes to put herself forward as Lionel's literary superior, or even peer: she makes a point of stressing that she could not have been married to a man who was not her superior. But there is something in the way she speaks of his difficulties, something in the flatness and insistence of her tone when she does so, that seems to be saying, *though he was the more important person, I was the braver and more honest.* There are also passages here that have given some of her feminist reviewers the impression that Diana was a woman forced to stand in her husband's shadow. But as all those now-dead contemporaries might have told them, her presence, whether in a room or on the page, was all her own, distinct and, to put it mildly, unignorable.

By her own account, Diana did terrible things to Lionel—perhaps the most terrible being that she kept him out of the army with a letter from her doctor when he was about to be drafted (this was World War II, remember). Yet for all her vaunted honesty, she frequently seems unaware of what she is actually revealing. And this is finally what our obedient biographer is likely to find the most difficult to manage. Here is a woman, rich in years and experience, having spent much of her life among some of the worst and best and most interesting people in the world—and having, to boot, spent countless time on the couches of various psychoanalysts—who can still speak of her long-ago past without the least distance or detachment. From the oppressions of her girlhood (when despite her talent and intelligence her father told her she must not put herself forward), to the rudeness of Lionel's aunts and uncles when she was first introduced to them, to being bullied at the hands of poor Elliot Cohen (the founding editor of COMMENTARY, and a man so sunk in his own sorrows that he would one day put a plastic bag over his head and tie it tight)—all is recounted with a pettiness of detail and with a fierceness of feeling astonishing in their unselfconsciousness.

Was this the woman I once knew who opened her home and her hands so unstintingly? Who would have guessed that all the while her mind was closed, wrapping itself around the story, the "true" inside story, she would one day have to tell the world, about herself, about Lionel, and about the two of them together?

Romancing the State

THE FATAL EMBRACE: JEWS AND THE STATE. By BENJAMIN GINSBERG. *University of Chicago. 248 pp. $22.00.*

Reviewed by JAY P. LEFKOWITZ

IN *The Fatal Embrace,* Benjamin Ginsberg, who teaches political science at Johns Hopkins, chronicles the symbiotic relationship that has often developed between Jews and the rulers of the countries in which they have lived. As a minority group with a long and painful history of religious persecution, Jews have historically sought both physical protection and economic opportunity in their lands of residence. At the same time, ambitious kings and sultans, commissars and presidents, have often found Jews to be useful allies and capable advisers, and have accommodated their presence in exchange for service as administrators, tax collectors, financiers, and even soldiers.

Roving over the past thousand years of history, Ginsberg shows Jews attaining positions of power in every kind of regime: in Fatimid North Africa during the 10th and 11th centuries; in Christian Spain from the 11th to the 15th centuries; throughout the Ottoman empire during the 15th and 16th centuries; in the courts of the Hapsburgs, Bourbons, Orléanists, and Bonapartists during the 19th century; among the Bolshevik leadership, in the Weimar Republic, and in the kitchen cabinet of President Franklin D. Roosevelt in the 20th.

Yet this "embrace" of the state, he contends, has often proved "fatal," as ascendancy makes Jews a prime target for old hatreds and new antagonisms alike. Inevitably, either a regime will jettison the Jews as soon as it has consolidated its power (thus the Soviet Union became fiercely anti-Semitic even though three of the six members of Lenin's first Politburo were of Jewish origin and even though Jews were prominent both in the Red Army and in Stalin's secret police well into the 1930's); or the forces opposed to a particular regime will seek to undermine it by identifying it as a creation of the Jews (Hitler called Weimar the "*Judenrepublik*").

In his discussion of American history in particular, Ginsberg argues that each successive episode of anti-Semitism in this country has closely followed upon an era in which Jews attained positions of authority and influence, first as bankers and financiers, later as

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lawyers and government bureaucrats. In one telling illustration, Ginsberg recounts how in the 1890's Theodore Seligman was blackballed by the prestigious New York Union League Club because he was a Jew, even though his financier father, Jesse, had been one of the club's founding members. Indeed, the early decades of the 20th century became in general a period in which Jews, a powerful force in banking, public finance, and the new industrial order in the post-Civil War years, came to be excluded from private clubs, residential neighborhoods, and elite universities.

ACCORDING to Ginsberg, the periodic waves of anti-Semitism in America have actually served to perpetuate the "fatal embrace." "[E]ager to cooperate with any government willing to promise them protection from anti-Semitic attacks, freedom from discrimination, and greater political and economic opportunity," Jews have naturally looked to reform-oriented politicians. Thus, numerous Jews gained positions of considerable influence and power under FDR: Felix Frankfurter, appointed to the Supreme Court in 1939; Secretary of the Treasury Henry Morgenthau, Jr.; and a host of lawyers, including Benjamin Cohen, Abe Fortas, and Samuel Rosenman. But this in turn provided fuel to Roosevelt's opponents, who charged that he was a pawn of his Jewish aides or even—in an extreme instance—that he himself was the descendant of a Dutch Jewish family (the "Rosenvelts"). According to a survey in *Fortune* cited by Ginsberg, "[m]ore than 100 anti-Semitic organizations were founded between 1933 and 1941" and "roughly a half- million Americans at least occasionally attended anti-Semitic rallies or meetings during this period."

True, the anti-Semitic attacks failed: Roosevelt never lost a presidential election, and America never experienced a single pogrom. Ginsberg attributes this to the fact that "the regime constructed by Jews and their allies was able to lift the country out of depression, and to mobilize military and police forces with the capacity to crush its enemies at home and abroad." But neither did anti-Semitism disappear. To Ginsberg, the postwar investigations conducted by the House Un-American Activities Committee were thinly veiled forums for anti-Jewish prejudice.

By the late 1950's, public displays of anti-Semitism were considered out-of-bounds in America. Nevertheless, Ginsberg believes that to this day the political situation of Jews not only in the United States but in the Diaspora as a whole—everywhere, strangers in a strange land—dictates that they will forever be locked in "fatal embraces" with their host states. Here at home, looking at what he calls a "resurgence of anti-Semitic—sometimes veiled as anti-Zionist—rhetoric in American political discourse," Ginsberg issues a warning: the contemporary romance of many Jews with the state may once again have dire consequences for the entire American Jewish community.

The Fatal Embrace is an absorbing historical chronicle, but only a lackluster work of political science. To begin with Ginsberg's working premise, and sticking for the moment with America, it is of course true that Jews have sought to forge a relationship with every President since George Washington; but they have actually been far less dependent upon the federal government than have many other immigrant communities. Relying very little on public assistance, whether in housing, welfare, or employment, they have prided themselves instead on their initiative and self-sufficiency. American Jews may have embraced the state—actually, not so much the state as the society and the political system—but they have never become its wards or its dependents.

More importantly, Ginsberg fails to give proper weight to the exceptional nature of American liberal democracy. Although he acknowledges that anti-Semitism here has never risen to the levels historically quite common elsewhere in the world, he ignores the connection between this fact and the status enjoyed by Jews in the United States. Unlike in medieval Spain or Leninist Russia, American Jews were not "tolerated," or granted certain privileges at the pleasure of the government-in-power, but, from the very beginning, have been citizens enjoying (in the words of George Washington) "the exercise of their inherent natural rights." This has not immunized them from prejudice or even hatred, but it marks a fundamental departure from European experience and has forged a radically new orientation to society and state at once.

Ironically, one recent development which may have a more profound effect on American Jews than Ginsberg's "fatal embrace" is the rise of government-mandated multiculturalism and affirmative action. These policies, which pit minority groups against one another, often in a zero-sum game, are reminiscent of arrangements from the pre-democratic past and could conceivably result in a step backward for American Jews should they come to be treated, in law and custom, less as individuals than as members of a particular group—and a very tiny one at that.

But this is not what Ginsberg has in mind in forecasting a rise in anti-Semitism. He bases his prediction on three trends: the end of the taboo against anti-Semitism within the liberal coalition (Jesse Jackson and Louis Farrakhan); the increasing role of anti-Semitism within the conservative movement (Patrick J. Buchanan); and the renewed linkage of radical populism, racism, and anti-Semitism (David Duke).

While the facts cannot be denied, Ginsberg gives far too much credence to the specter and potential power of extremists like Louis Farrakhan on the one hand and David Duke on the other. Farrakhan has never sought national office, and Duke, despite gaining some popularity in Louisiana, failed miserably as a presidential candidate in 1992. Moreover, while Jesse Jackson and Patrick J. Buchanan have each engaged in anti-Semitic rhetoric over the years, neither is in the mainstream of his political party; what is more, their anti-Semitic outbursts have hurt

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rather than helped them politically.

To be sure, Ginsberg is not alone in believing that anti-Semitism is reviving in the United States. Last year, the Anti-Defamation League (ADL) released a survey which concluded, quite sensationally, that "one in five Americans—or between 35 and 40 million adults—hold views about Jews which are unquestionably anti-Semitic." The measurement of anti-Semitic sentiment, however, is a very imprecise art, and the ADL's conclusions have been subjected to a thoroughgoing critique. Ginsberg himself acknowledges that "[m]any surveys suggest that, except among blacks, popular anti-Semitism is still at a relatively low level."

PERHAPS the most glaring weakness of Ginsberg's book is that after more than 200 pages of analysis, he fails to offer a single alternative to the "fatal embrace." Would Jews have fared better throughout history if they had ignored their host states? Ginsberg certainly does not suggest so, or recommend that, in the future, American Jews move *en masse* to Israel. Neither does he propose that they try to live their lives in isolation, like the Amish.

Nor could they, even if they wanted to. Powerlessness is a protection only for those who can count on being ignored. It may work for the Amish, who as Christians (albeit of a quaint variety) can fade quietly into the larger Christian background of America; it will never avail the Jews so long as they remain distinctively Jewish.

And there, finally, is the rub. The American Jewish community may be facing a crisis, but at the moment the crisis is not one of anti-Semitism. With an intermarriage rate of more than 50 percent, the danger facing American Jews today, as Irving Kristol has quipped, is not that Christians want to persecute them but that Christians want to marry them. This is a potentially fatal embrace indeed—but one that Ginsberg, in his obsession with anti-Semitism, fails to notice.

Talking Points

DEMOCRACY AND THE PROBLEM OF FREE SPEECH. By CASS R. SUNSTEIN. *Free Press. 300 pp. $22.95.*

Reviewed by DANIEL E. TROY

CASS SUNSTEIN of the University of Chicago Law School, described by the *New York Times* as "the most coveted young academic in the country," shares the widely held view that our media have become increasingly irrelevant and obnoxious, and are a disservice to American democracy. While lambasting the media is in itself hardly a new exercise, *Democracy and the Problem of Free Speech* is noteworthy because of where Sunstein locates the source of the problem: namely, in the current state of First Amendment law. The book is also significant because it endorses the Orwellian view that in order to safeguard freedom of speech, what is needed is more regulation.

Sunstein is concerned primarily with the discussion of political issues in the press and on radio and television. His charge is that these media "deal rarely with serious issues and then almost never in depth"; "turn much political discussion into the equivalent of advertisements"; and "treat most candidates and even political commitments as commodities to be 'sold.'" In the process, the media fail to fulfill their constitutional responsibility, which is, according to Sunstein, the fostering of democratic deliberation.

Enter the First Amendment. Its primary purpose, in Sunstein's view, is to promote access to the information American citizens need in order to make responsible political choices—an insight he ascribes to James Madison. But this "Madisonian conception" differs significantly from much of current constitutional doctrine, which Sunstein characterizes as being too much in thrall to the free-market approach of the Reagan administration. The Supreme Court's misguided "hands-off" approach to speech has, he believes, permitted insufficiently substantive media to flourish.

Diversity is also lacking. In its place, Sunstein detects a lamentable tendency among newspapers and broadcasting stations alike to "allocate the right to speak in accordance with the goal of increasing financial returns." This for-profit orientation, protected by law, unduly favors the views of the rich and powerful—including "large broadcasters"—who are themselves not above invoking the First Amendment in their attempts to resist "government efforts to promote quality public-affairs programming, and diversity in the media."

The notion that the goal of the First Amendment is to promote edifying democratic discussion leads Sunstein to two conclusions. First, government must act affirmatively to ensure that all points of view about controversial issues of public importance are heard. Second, while political speech should be entitled to the utmost protec-

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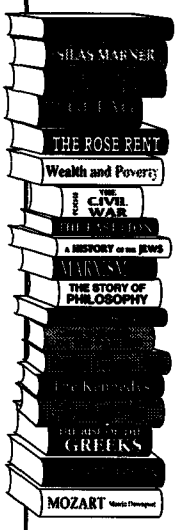

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tion, courts should favor government attempts to restrict other, "lower-value" forms such as commercial advertisements and certain types of pornography and hate speech. (Sunstein's distinctions among protected and unprotected speech are occasionally quite odd: for example, he places violent heterosexual pornography outside the scope of the First Amendment but would protect violent homosexual pornography.)

Sunstein's reading of the First Amendment also leads him to propose a "New Deal for Speech"—i.e., measures designed to increase discussion of public affairs and, as it were, redistribute the power to communicate. Among his suggestions are a requirement that one hour of public-affairs programming be aired per night; government enforcement of a mandatory right-of-reply on broadcast stations and in newspapers; and government subsidies to promote "higher-quality" television shows, as well as more "serious" and "substantive" newspapers, ostensibly on a "viewpoint-neutral" basis.

Sunstein justifies these intrusive regulations on the grounds that the state, which enforces the laws of theft and trespass, is the source of all property rights—the "New Dealers' central insight," as he puts it. Our property, he repeatedly states, is, "simply as a matter of fact, governmentally conferred." Accordingly, the government can regulate it to promote the greater good: in this case, a more informed polity.

Democracy and the Problem of Free Speech reads as if it were written in haste—a consequence, perhaps, of Sunstein's prolific tendencies. (He already articulated his legal philosophy last year in *The Partial Constitution*.) It is often repetitive, often vague, and often equivocal, at least rhetorically. Thus, Sunstein repeatedly bows in the direction of market incentives, and tempers almost all of his proposed changes by calling them "suggestions" worthy of "consideration." In fact, however, his vagueness, equivocation, and centrist rhetoric hardly mask his statist agenda.

To begin with a few of Sunstein's "suggestions": the idea that one hour of public-affairs programming be required per night is simply laughable. Who would watch it? PBS, let alone the various public-affairs cable channels, are already ignored by millions. Oscar Wilde once quipped that "Socialism takes too many evenings"; Americans, fortunately, still enjoy the freedom to spend their evenings as they choose.

Other reforms favored by Sunstein are more dangerous, giving government the opportunity to determine the messages we hear. It is, for instance, absurd to think that government subsidies for serious newspapers or for broadcasters airing "high-quality programming" would be administered on a viewpoint-neutral basis; the Federal Communication Commission (FCC) already has a history of handing out government goodies in a rankly partisan manner, from the days of Franklin D. Roosevelt, who steered radio licenses toward his political supporters, to the days of Dwight D. Eisenhower, when television stations were overwhelmingly granted to Republicans.

Mandatory rights-of-reply are a similarly foolhardy idea. Prior to 1987, the FCC required stations to devote a significant amount of air time to controversial issues of public importance. The coverage was required to be "fair"; stations were expected to present contrasting viewpoints on the issues discussed. If the station itself was not "fair"—a determination made by the FCC—representatives of opposing viewpoints had a right to be heard later over the station's airwaves.

Not only did this ill-named "fairness doctrine" cause stations simply to avoid controversial issues to the extent possible, but the doctrine was also used to persecute critics of the government. As Bill Ruder, a former Assistant Secretary of Commerce in the Kennedy administration, has written: "Our strategy was to use the fairness doctrine to challenge and harass right-wing broadcasters and hope that the challenges would be so costly to them that they would be inhibited, and decide it was too expensive to continue." Ominously, Congress is currently considering reimposing the "fairness doctrine" to quiet the likes of Rush Limbaugh and G. Gordon Liddy.

Even in the absence of deliberate favoritism, government enforcement of diversity leads to intractable problems. Would *The Limbaugh Letter* qualify for Sunstein's subsidies? It is substantive, but perhaps not sufficiently serious. What about *USA Today*? Serious—but maybe not substantive enough. The *New York Times*? Substantive *and* serious, but does the *Times* really need a subsidy? It is hard to avoid the conclusion that Sunstein simply wants the taxpayers to underwrite speech of the kind he favors.

Most problematic of all is Sunstein's understanding of property in the political philosophy of the framers, as well as the link between property rights and free speech. In plain fact, the Constitution *rejects* the notion that property is "governmentally conferred." Property rights, like the rights to speak or to worship, are pre-political and are protected in the Bill of Rights. As part of the constitutional compact, "We the People" cede to the government certain rights in order to protect our lives and our property collectively. Although this arrangement may necessitate some limits on the use of that property, it does not, *pace* Sunstein, justify confiscating the property of some so that others may speak.

Disrespect for property rights ultimately denigrates freedom of expression. The ability of a newspaper to convey a message depends on the right to publish whom it wishes to publish, by including some and excluding others. Sunstein's view—that the government creates private-property rights and can therefore award access to a newspaper's pages over the publishers' objections—would impair, if not destroy, this ability. For that reason the influential *Cato's Letters* (1720) said, in discussing the freedom of expression: "This sacred Privilege is so essential to free Government that the Security of Property, and the Freedom of Speech, always go together."

Like some other prominent liberals, Sunstein has soured on the

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current state of First Amendment law because it sometimes protects the "wrong" speakers. But his suggested "New Deal" makes one yearn for Old Left civil libertarians. They may have been socialists, but at least they championed free speech.

Münzenberg's Men

DOUBLE LIVES: SPIES AND WRITERS IN THE SECRET SOVIET WAR OF IDEAS AGAINST THE WEST. By STEPHEN KOCH. *Free Press. 400 pp. $24.95.*

Reviewed by MARK FALCOFF

THE end of the cold war has begun to generate a vast flood of "revisionist" literature, the gravamen of which is that for decades the West was largely fighting a phantom of its own fevered imagination. This is a view which had been around for some time, of course, but the peaceful collapse of the Soviet empire has given it a new and sustained lease on life. Stephen Koch's *Double Lives* thus appears at a particularly opportune moment. By exploring and documenting the phenomenon of "soft" Soviet penetration of the West over decades, it acts as a corrective to the new wave of cold-war revisionism (and also to some of the more unsophisticated varieties of anti-Communist literature).

The theme of this book, simply stated, is that after an early period of post-revolutionary euphoria which led to disasters in Germany and Hungary, Moscow recognized that a full-dress Marxist revolution in the West was neither possible nor likely. After 1921, it therefore concluded that Soviet national interests were best advanced by manipulating Western states through non-Communist (and even non-revolutionary) personalities, institutions, and sources—"useful idiots," in Lenin's phrase.

The principal architect of this policy was a German by the name of Willi Münzenberg, who for two decades ran a bewilderingly complex array of front organizations, publishing houses, film companies, and aid campaigns from Berlin and later Paris. He was, Koch rightly remarks, "one of the unseen powers of 20th-century Europe," and this book is in many ways his biography, written with the help of his nonagenarian widow.

But it is much more than that. Münzenberg was the *generalissimo* of a small army of agents ("Münzenberg's men," Koch calls them) who effectively influenced the policies of all of the major Western powers, including the United States, between 1921 and 1946. For this aspect of the tale, Koch draws upon the recently declassified Central Party Archives in Moscow, which include the papers of the Communist International (Comintern), and constructs highly persuasive and occasionally surprising accounts of a number of the major *causes célèbres* of interwar politics.

In Koch's telling, Münzenberg's particular genius was to recognize how ostensibly nonpolitical attitudes and impulses among Western intellectuals, clergy, artists, and also society leaders, businessmen, and politicians could be put to use for covert Soviet purposes. Münzenberg's goal, Koch writes, was

> to create for the right-thinking non-Communist West . . . the belief that . . . to criticize or challenge Soviet policy was the unfailing mark of a bad, bigoted, and probably stupid person, while support was equally infallible proof of a forward-looking mind committed to all that was best for humanity and mankind by an uplifting refinement of sensibility.

Münzenberg was also the first Communist operative to grasp how social snobbery and high fashion could be marshaled to serve Soviet purposes. This was particularly true in the Popular Front period (1935-39), which, Koch acidly observes,

> wed high political righteousness to the drape of a sable coat, the Revolution with a perfect crease, confident with the easy aromatic grace that comes with a look of complete success . . . the Communism of country houses, the anti-fascism of evening gowns.

Once a fashionable opinion was launched, it could be depended upon to reproduce of its own accord; Münzenberg accurately referred to the creation of front groups as "rabbit breeding."

MÜNZENBERG'S first success in pursuing his brand of "righteousness politics" was to organize a vast relief effort in Western Europe to combat the 1919-21 famine in the Soviet Union—a famine that had been produced by the disastrous agricultural policies of the Communists. Münzenberg's real achievement lay not so much in assuring the survival of the Soviet state, much less in piloting vitally-needed foodstuffs or medicines past an ideological *cordon sanitaire.* Rather, it lay in neutralizing the political fallout of the disaster itself. Thanks to Münzenberg's committees in Western Europe and the United States, Moscow was allowed to have it both ways: it was rescued by the very societies it planned to destroy, and at the same time it was permitted to point the finger of responsibility for the famine at the White armies, at Western intervention—at anything but its own economic and agricultural policies.

The same bifurcation between the apparent and real motivations behind Soviet policy can be seen at work again and again in this book, and nowhere more dramatically than in the case of the Spanish civil war. There, Koch argues, Stalin's objective was very decidedly not the victory of the Republic but the creation of front groups in Western Europe and the United States to raise money for other, less noble causes, as well as to wrap Stalinism—by now somewhat shopworn from the show trials in Moscow of former Bolshevik leaders—"in Byronic illusion."

Indeed, Koch insists that Soviet "anti-fascism" in general was nothing but an illusion. In an especially audacious claim, he writes that Stalin sought an understanding with Hitler not in 1939, as most historians think, but from the very beginning of the Nazi regime. To

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justify this assertion, Koch produces what appears to be incontrovertible evidence: continuous contacts between the two dictators—hidden even from their own diplomats—from 1934 on. Stalin's real objective, he writes, was to deflect Hitler westward, while reaching an agreement with him on the division of Eastern Europe. Thus, the "anti-fascist" pose so vigorously upheld by the Soviets was intended not to stem the spread of German power, but merely to ensure the pro-Soviet allegiances of "enlightened" circles in the West.

A somewhat similar approach explains Soviet policy toward developments in Great Britain and the United States. In Britain, Münzenberg's men were utterly uninterested in the prospects for a Marxist labor movement or even a serious left-wing political alternative; instead, they preferred to concentrate on recruiting students at Oxford and Cambridge to penetrate the British establishment in the eventual service of Soviet espionage. An analogous movement in the United States produced the Ware-Hiss-Chambers ring, much of it made up of Ivy League graduates in New Deal Washington.

This part of the story is, of course, already well known. But Koch adds a new twist to the cultural dimensions of Soviet policy toward the United States. As early as the 1920's, Münzenberg and his people recognized that the principal countermyth to the Soviet Revolution was "the *idea* of America" (emphasis in original). Thus, sensational events like the Sacco-Vanzetti case or the trial of the Scottsboro boys were seized upon not with a view toward establishing the innocence of the accused, but

> to instill a reflexive loathing of the United States and its people. . . . To undermine the myth of the Land of Opportunity, the United States would be shown as an almost insanely xenophobic place, murderously hostile to foreigners.

During the 1930's, Münzenberg's chief agent in the United States was a Czech Communist by the name of Otto Katz, whose base of operations was—of all places—Hollywood. Katz's purpose, in Koch's words, was "to find lucrative berths for favored people in the German Communist Diaspora, to generate publicity for the Popular Front, to Stalinize the glamor culture," and—not least—"to tap Hollywood's great guilty wealth as a cash cow for the apparatus, an abundant provider of untraceable dollars." In all of these activities he succeeded, and brilliantly so.

PERHAPS the most fascinating aspect of Münzenberg's career lay in the sheer scale and audacity of his enterprises. They included funding and indirectly guiding the ideology of publications like *Week* in England and the daily *PM* in the United States, the Left Book Club in Britain, and glossy society magazines like *Vu* in France. More impressive than his entrepreneurial imagination, however, was his insight into human nature. For even though the Soviet Union is gone, and there is no Willi Münzenberg on the scene, the same "righteousness politics" continues to drive many Western intellectuals and politicians. Clearly the phenomenon explored here by Koch predates Communism and would seem destined long to survive it.

Inevitably, so ambitious a book suffers from methodological weaknesses. Some of the sources are incomplete or still partially classified; in other cases, crucial documents are missing. Moreover, although the author teaches writing at Columbia University, his own prose style is often crude and infelicitous. There is a tendency toward repetition, and a few too many obvious points are bludgeoned home by the promiscuous use of italics. The narrative is also somewhat disorganized. Yet none of these things succeeds in discounting the overall importance of *Double Lives*, a true and necessary chronicle of a shameful age.

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WHAT BEING JEWISH MEANS TO ME

Jodi Padnick
Georgetown University
Class of 1994

Despite years of Hebrew school, I was ambivalent about my Jewishness, unsure of its relevance in the contemporary American world. Ironically, it took an experience abroad to put things into perspective. I travelled to Spain as a high-school exchange student. Living with a Catholic family whose only language was Spanish and who knew nothing about Jews or Judaism, I became deeply conscious of my Jewishness.

My first Friday in Barcelona, the Sabbath drew near, and I suddenly wanted to be with other Jews. I managed to find a small synagogue where the traditional melodies of the familiar Sabbath prayers reminded me of home. Sitting there, thinking about the great Jewish community of Spain which ended abruptly with their mass expulsion in 1492, I felt a new sense of identification with my people, our faith and shared history. The first sparks of a positive Jewish identity had been lit.

This past summer I made my first trip to Israel. Some images linger: The family I met in a synagogue in Eilat that welcomed me warmly and lovingly into their home for the Sabbath meal... Lake Kinneret at sunset, proof of the beauty of Israel and the Jewish people's bond to it... A concert violinist on a Jerusalem street corner, recently arrived from Russia and playing for small change, sure that things would improve.

I have gradually developed a deepening awareness of the spiritual possibilities that Judaism offers. I am learning to appreciate the holiness of the Sabbath and its unique power to renew and refresh my spirit.

In an age of cynicism and rootlessness, being Jewish gives my life added meaning. It has strengthened my bonds with family and friends. It constantly challenges me to get involved in the Jewish community and in American society.

For instance, each week, as a volunteer, I tutor five-and-a-half-year-old Steven, who lives in public housing in Washington. At first I didn't realize that this had anything to do with being Jewish. But now I see it does. Tutoring Steven has helped me to see that being Jewish includes a commitment to others. Our tradition teaches that our world is constantly being created, and each of us is God's partner in the process. Helping Steven helps me.

Family, roots, tradition, Israel, holiness, community, compassion, justice. That is what my journey of discovery has taught me. And I am only at the beginning.

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